

ARTICLE 1

TITLE, PURPOSE, AND GUIDING PRINCIPLES

101 Adoption of Land Use Plan and Zoning Ordinance

Cochise County has adopted and established an official land use plan, which has been approved by separate proceeding, and shall hereafter be referred to as the Cochise County Comprehensive Plan, and a Zoning ordinance, which shall hereafter be referred to as the Cochise County Zoning Regulations.

102 Purpose

The purpose of these Zoning Regulations is to conserve and promote the public health, safety, convenience and general welfare, and to provide for the future growth and improvement of the unincorporated area of Cochise County in accordance with the Cochise County Comprehensive Plan.

103 Declaration

In order to accomplish the above purpose through coordinated, adjusted and harmonious development of land in the entire unincorporated area of Cochise County, these Zoning Regulations establish Zoning Districts for the unincorporated area of Cochise County, for the various classes of residential, commercial and industrial uses, consistent with the plan designations and Goals and Policies of the Cochise County Comprehensive Plan. In order to protect the character and stability of each district, setback distances are customized for each use and site. Provisions are also made for providing adequate light, air and parking facilities; promoting adequate traffic circulation; preventing overcrowding of land uses by provisions for lot area, coverage, open space and setbacks; and reducing the probability of damage from flood, fire and other events.

ARTICLE 2

DEFINITIONS

201 Intent

This article is intended to clarify the meaning of any term used within these Regulations for which the common definition may not serve the purpose of the Regulations, or which is not a commonly used term outside of the context of these Regulations.

202 Interpretations

Any dispute regarding the meaning of any word or term used in these Regulations shall be decided by the County Zoning Inspector, and all such decisions shall be subject to appeal to the appropriate Board of Adjustment.

203 Definitions

Access - A means of vehicular ingress and egress connecting a site to the roadway system.

Accessory Living Quarters – An attached or detached structure (including detached bedrooms) that is used either as a guesthouse or as quarters for the ill, elderly or disabled, or their caretaker. Accessory living quarters must be incidental and subordinate in size, impact and purpose to a principal dwelling. In the absence of a special use permit issued pursuant to Article 17, the structure shall be no more than 75% the size of the principal dwelling.

The area calculation shall include all attached areas, except carports and patios, and enclosed attached garages. The combined square footage of a detached accessory living quarter and the total square footage of a garage attached to the accessory living quarters shall be subordinate in size to the principal dwelling. Detached accessory living quarters are limited to one kitchen per unit.

Except for parcels zoned Rural and in the absence of a special use permit, the accessory living quarters shall not have a separate address or separate utility meters. In the absence of a special use permit, the accessory living quarters shall not be rented separately from the main residence, nor used for commercial purposes other than a home occupation, and is not intended for sale.

There shall be no more than one accessory living quarters per lot or parcel. Recreational vehicles, other than park models, shall not be permitted as accessory living quarters in any zoning district. Manufactured homes, rehabilitate mobile homes, mobile homes with the State Office of Manufactured Housing Rehabilitation Insignia of Approval and park models may be permitted as accessory living quarters in those Zoning Districts that allow mobile homes and manufactured homes as permitted structures.

Accessory Structures or Uses - Structures or uses on the same site and of a nature customarily incidental and subordinate in size, impact and purpose to the principal structures or uses. Accessory structures or uses shall observe all site development standards required of the principal structure or use, except as otherwise specified within these Regulations. Structures attached to the principal structure shall be considered a part of that principal structure.

Acre - An area of land comprising forty-three thousand, five hundred sixty (43,560) square feet.

Agricultural Processing Services - Those services which alter the condition of and add value to a marketable, agricultural commodity through a processing activity. Agricultural processing services do not include slaughterhouses/meat packing plants, commercial feedlots, bone yards or facilities for the reduction of animal matter.

Agriculture, General - A tract containing a minimum of five (5) contiguous commercial acres which is being used for the production of farm, garden, or orchard crops, or the grazing or raising of farm animals, including feeding pens that are incidental and subordinate to a grazing operation. Examples of commodities produced include vegetables, fruit trees, grapes, cotton, grain, poultry, horses, cattle, sheep and swine. The term "general agriculture" includes such uses as the necessary treatment, packing or storage of farm products produced on premises, the sale of any farm crops or livestock raised on premises, and any signs, structures, or fences utilized for these functions. By statute, "general agriculture" includes dairy operations, including areas designated for raising heifers and bulls owned by the same dairy operation that is on property contiguous to the dairy operation or within one-quarter of a mile. It does not include signs advertising off-premise facilities, junkyards, other retail sales, manufacturing, any non-agricultural services, stockyards, slaughterhouses/meat packing plants, commercial pen feeding, production wineries, bone yards, plants for the reduction of animal matter, poultry feeding operations, or agricultural processing plants.

Airport - An area of land or water that is used or intended to be used for the landing and take-off of aircraft, including its buildings and facilities, helipads, and heliports.

Alley – A public or private thoroughfare, generally less than 20-feet in width, located in the rear or on the side of a set of parcels that provides only a secondary means of vehicular access to abutting properties.

Anemometer – A device mounted on a tower or pole used to measure wind speeds. Devices may also include wireless equipment for the transmission of data generated by the anemometer.

Animal Husbandry Services - Facilities, including kennels, related to the care, raising, and/or breeding of animals.

Attached - A building otherwise complete in itself, which depends, for structural support or complete enclosure, upon a roof or division wall(s) shared in common with adjacent building or buildings.

Banks and Banking Services - Business offices devoted to the keeping, receiving, lending, and exchange of money and including on-site teller facilities for providing those services to the public. May or may not include the use of drive-in-up teller windows.

Bed and Breakfast Lodging:

Bed and Breakfast Homestay – A single household dwelling unit occupied by an owner or a full time resident residing in the dwelling, accommodating no more than two (2) guest bedrooms that are rented to no more than six (6) transient guest lodgers at any one time who may be furnished meals. Detached accessory guest rooms or structures for house guests are not permitted.

Bed and Breakfast Inn – A single household dwelling unit occupied by an owner or a full time resident residing in the dwelling, accommodating no more than four (4) guest bedrooms that are rented to no more than twelve (12) transient guest lodgers at any one time who may be furnished meals. Detached accessory guest rooms or structures for house guests are not permitted.

Bed and Breakfast Establishment – A single household dwelling site that is occupied by an owner or a full time resident residing on the site, accommodating no more than twelve (12) guest rooms that are rented to no more than thirty (30) transient guest lodgers at any one time who may be furnished meals. Detached accessory guest rooms or structures for house guests may be permitted.

Guest rooms in Bed and Breakfast lodging shall not have kitchens.

Board of Adjustment - One of the Boards of Adjustment of Cochise County appointed by the Board of Supervisors under the authority of Article 21 of these Zoning Regulations and pursuant to Arizona Revised Statutes A.R.S. 11-807.

Board of Supervisors (or "Board") - The Board of Supervisors of Cochise County.

Building - A structure used for the shelter or accommodation of persons, animals, equipment or goods having a roof which is supported by columns or walls.

Building Permit - A permit granted to a property owner by the County Zoning Inspector to use, establish, alter or construct, alter and or enlarge any portion of a building or structure as permitted by the adopted building and zoning codes and as allowed pursuant a use or group of uses permitted in the applicable Zoning District pursuant to the approval of a "sSpecial uUse" pPermit.

Car Wash - A building or semi-enclosed structure used for the washing of ~~passenger~~ vehicles.

Cemetery - Land set apart or used as a place for the interment of the dead or in which human bodies have been buried. It may include a structure for the purpose of the cremation of human remains and may include facilities for storing ashes of human remains that have been cremated or the interment of the dead in sealed crypts or compartments.

Cemetery, Family - Land set aside or used for the interment of family members. Notice of the location shall be filed with the County Recorder.

Churches or Places of Religious Worship - Buildings and locations where people regularly participate in or hold religious services, meetings or other activities related to the exercise of their religious beliefs.

Commission - The Cochise County Planning and Zoning Commission.

Wireless Communication Equipment - ~~Any staffed or unstaffed facilities~~ A facility or shelter used for housing equipment for switching, processing, the transmission and/or reception of Federal Communications Commission (FCC) licensed wireless communications services including, but not limited to, cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging television and radio broadcasting usually consisting involving the use of an antenna array, connection cables, and equipment shelters. ~~Wireless cCommunication facilities equipment shall be considered a utility installation.~~

Community Development Planning Director - The Director of the Cochise County Community Development Planning Department, also known as the County Zoning Inspector or designee.

Community Garden - An area used to grow food and/or fiber products for use, consumption or sale by the garden participants. Accessory uses shall include greenhouses, sheds, and outdoor storage of farm equipment. Community gardens are considered residential uses for the purposes of site development standards.

Conforming Use - A use of land which is permitted or approved as a special use in the Zoning District in which it is situated.

Contract Construction Services - Those services directly related to contract construction, including the indoor and/or outdoor storage of the necessary equipment and accessory fabrication. These include, but are not limited to general contractor construction, plumbing, heating, air conditioning, painting, paper hanging and decorating, electrical, masonry, stonework, tile setting, plastering, carpentry, roofing, landscaping and concrete.

Convenience Store - A retail establishment offering a variety of food, beverage, ~~and~~ household items, and/or ~~which may include~~ gasoline sales.

Corrals - a confined area for livestock where associated impacts are concentrated.

Cultural, Historic and Nature Exhibits - Activities which include, but are not limited to libraries, museums, art galleries, planetariums, aquariums, botanical gardens, arboretums, zoos, and historic sites.

Customer Butchering/Meat Curing/Processing – The cutting-up, curing, and processing of meat, to include on-site butchering, operating under the Arizona Department of Agricultural slaughter license for more than 45-head and not to exceed 150-head of cattle and more than 45-head and not to exceed 160-head of sheep, goats, or swine in one calendar year.

Day Care Establishment – Any facility in which care is regularly provided for compensation for more than ten individuals who do not reside on the site and who are not related to the proprietor.

Day Care Facility - Any facility in which care is regularly provided for compensation for five to ten individuals who do not reside on the site and who are not related to the proprietor.

Dwelling– Any building intended primarily for residential occupancy by one or more households, containing sleeping, cooking and sanitary facilities, unit or portion thereof, including manufactured homes or factory built buildings, which is used exclusively for residential purposes; including mobile homes if rehabilitated per Section 1712 and excluding recreational vehicles.

Dwelling, Multiple-Household - A single dwelling in a structure containing defined space for two residence for occupancy by 2 or more households, with separate entrances, housekeeping and cooking, sanitary and sleeping facilities for each. Multiple household dwellings may include including apartments, condominiums, townhouses and multiplexes.

Dwelling-unit, Single-Household - A structure surrounded on all sides by open space and setbacks from the property line, intended detached residence for occupancy by one household. only, This definition includes including site or factory-built homes and site-built dwellings rehabilitated mobile homes and mobile homes with the Arizona State Office of Manufactured Housing Rehabilitation Insignia of Approval and manufactured homes, but does not include recreational vehicles. A mobile home that has not been rehabilitated, as required by these regulations, may be used for this purpose only if it meets the standards under these regulations for a lawful non-conforming use.

Dwelling Unit–One or more rooms for occupancy by one household for living purposes and having its own cooking and sanitary facilities.

Easement - A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation, or another person or entity. No structure shall be permitted in public easements. - However, a permit may be issued for a structure in a private easement with the condition: "No structure or use permitted by this permit shall limit the rights of the owner of any underlying easements which burden a particular site from utilizing their easement."

Educational Services - A category of land uses including pre-school, primary, secondary, and higher education facilities, vocational and technical schools, and any other facility in which the, a principal use of which is public assembly for the purpose of receiving classroom instruction or practical training.

Emergency Vehicle Station - A facility housing vehicles intended for quick response to medical, fire, and law enforcement emergencies.

Factory-Built Building - A residential or nonresidential building including a dwelling unit or habitable room thereof which is either wholly or in substantial part manufactured at an off-site location to be assembled on-site and placed on a permanent foundation. Factory-Built Building's are constructed to Building Code standards and are regulated by the Office of Manufactured Housing. Factory-Built Buildings, except that it does not include a manufactured home, recreational vehicle or mobile home. as defined in these Regulations. A factory-built building used for residential purposes shall be considered a single-household dwelling unit.

Farmers Market – An indoor or outdoor area where daytime sales of locally grown or produced food, fiber and/or products take place, and where sufficient parking, sanitary facilities and waste disposal facilities are provided.

Feedlot Commercial - A feeding operation on a parcel of land where livestock are maintained in a corral, pen, or other area on a sustained basis, where feed is brought to the parcel, and where the concentration of animals is regulated by the ADEQ Concentrated Animal Feeding Operations per A-A-C-R-18-9-A901. It is operated for the primary purpose of feeding and fattening animals for direct or eventual shipment to market or slaughter. Pastures used for the grazing of livestock and feeding pens for livestock are not commercial feedlots.

Fence - An artificially constructed barrier, including walls, made with any standard construction material including corrugated metal, erected to enclose areas of land. A retaining wall is not a fence.

Firearms, Skeet, Archery or Trap-Shooting Range – An outdoor facility involving the use of firearms or bows in individual or group activities.

For indoor facilities, see "Recreational Facilities, Indoor and Outdoor."

Floor Area - The sum of the gross horizontal areas of every story of all buildings on the lot or site.

Golf Course - An open-air golfing facility having not less than 30-acres and nine holes. May include an accessory pro shop, a clubhouse, restaurants and lounges.

Grade – The average point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building (See figure 2-1).

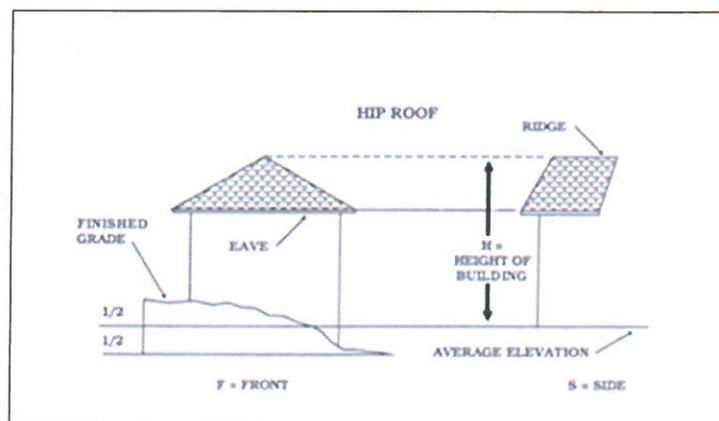


Figure 2-1

Grocery Store - A retail establishment primarily selling primarily food, beverages, and household maintenance supplies. but not including sales of gasoline. Grocery stores may contain incidental accessory uses such as bakeries, delicatessens, pharmacies, movie video rentals, postal services and/or banking services.

Group ~~Quarters~~ Residential Facility— A Residential facility designed to accommodate individuals who are not a part of the same household. Typical uses include fraternities, hostels, sororities, residence halls, and dormitories, rooming and boarding houses not primarily for travelers, membership lodgings, and religious quarters. This does not include halfway houses, offender re-entry residential facilities or homeless shelters which are included in the definitions of Offender Rehabilitation Facility, or Welfare and Charitable Services, nor does this include Residential Care Homes or Residential Care Institutions.

Growth Area - A "growth area" is an area identified on the Cochise County Comprehensive Plan maps and described in Article 4. Growth areas are ~~which is~~ based on the capacity of the an area for growth. and is ~~These are~~ further described in Article 4.

Guest Lodging – A building or group of buildings furnishing rooms or an area for accommodation for overnight or short term lodging such as a hotel or motel, resorts, guest ranches, group camps, and campgrounds and may include recreational facilities, restaurants, meeting rooms or similar facilities. This definition does not include a Recreational Vehicle Parks or a Bed & Breakfast Lodgings and uses.

Guesthouse – Accessory living quarters that provide temporary accommodations for guests of the principal household. A guesthouse may include a kitchen but except for parcels zoned Rural and in the absence of a special use permit, cannot have separate utility meters.

Health Clinic - A facility for treating human ailments operated by a group of physicians, dentists, chiropractors, or other licensed practitioners for the treatment and examination of outpatients.

Height, Building - The vertical distance from the grade of the finished surface adjacent to the finished wall of a structure to the highest point of the roof for flat, roofs, to the deck line of mansard roofs, and to the average height between eaves and ridge for gable, hip and gambrel roofs (see Figure 2-2).

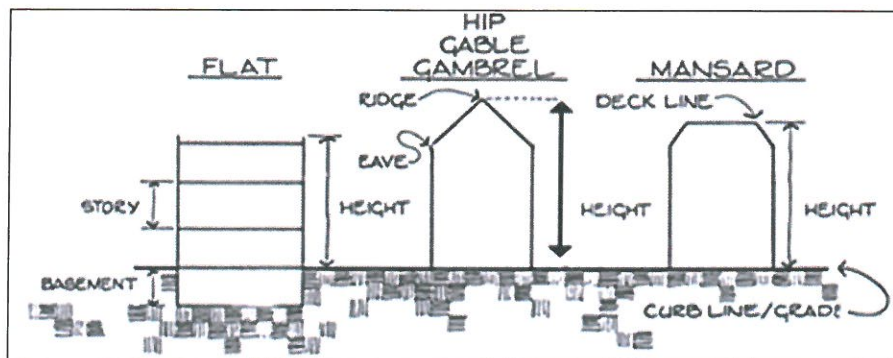


Figure 2-2

Height, Structure - The vertical distance from the grade of the finished surface adjacent to the structure to the highest point of the structure or any attachment.

Home Occupation - An activity carried on by the occupant of a dwelling as a secondary use, including personal and professional services, subject to the following limitations:

- A. The home occupation may occupy an area no greater than one-quarter ($\frac{1}{4}$) of the floor area of the residence whether occurring within the residence or in a detached structure.
- B. No more than one person other than the residents of the dwelling shall be employed in the conduct of the home occupation.
- C. Any outdoor display or storage of materials, goods, supplies or equipment shall be prohibited, other than the signs noted below.
- D. The generation of noise, vibrations, noxious odors, dust, heat, or glare detectable beyond any property line or the storage or use of hazardous materials of a type and amount that could create a safety concerns or are not appropriate to dispose of in residential garbage or sewer systems is prohibited.
- E. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street.
- F. There shall be no change to the residential appearance of the premises and the primary function of the occupation shall not be the sales or rentals of goods from site.

- G. There shall be allowed one on-site non-illuminated identification sign not to exceed four (4) square feet and vehicular signs.

Hospital - An institution providing in-patient, out-patient, and emergency medical care.

Household - Any number of individuals living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from group quarters or residential care institutions.

Impoundment Storage Yard - A site used for the temporary storage of impounded vehicles. No crushing or dismantling of vehicles or storage of vehicle parts shall occur.

Infrastructure - The system of facilities and services providing the supporting structure of a community, including, but not limited to streets, utilities, sewer systems, fire, law enforcement, medical, educational, and recreational facilities.

Jails, Prisons, and Detention Centers - Any detention facility for legal offenders or for those awaiting trial.

Junk - Old or scrap metal, wood, copper, brass, rope, rags, batteries, paper, trash, rubber debris, tires, waste or junked, dismantled or wrecked vehicles or parts thereof, iron, steel, and other old or scrap ferrous or nonferrous material.

Junkyards - The non-residential use of any site upon which the storage, keeping, salvage, sale or abandonment of junk occurs. Includes salvage yards and automobile wrecking yards.

Kennel, Commercial – A place where more than a combined total of six (6) dogs and/or cats six (6) months of age or older are kept and/or bred, where such animals are received for care, training, and boarding, not including a small animal hospital, clinic, or pet shop.

Kitchen: Any room in a building which is used, intended, or designed to be used for cooking or preparation of food.

Landscaping – Site improvements intended to modify improve the aesthetic appearance of a property by changing its contours, and/or adding ornamental features and plantings. Materials used may include gGrass, ground covers, shrubs, vines, hedges, or trees or palms and accessory non-living durable material, such as, but not limited to, rocks, pebbles, sand, brick, concrete paving bricks, walls and fences, but excluding asphalt paving. Landscaping may also include retention of native vegetation in prescribed areas.

Legal Non-Conforming Uses: Defined in Article 20.

Livestock - Cattle, horses, sheep, camelids, such as llamas, and alpacas, goats, mules, swine, asses and ratites, such as ostriches and emus.

Lot Development Administrative Modification – A site development standard modification approved according to the procedures and criteria set forth in Article 17 herein.

Manufacture or mManufacturing - For the purposes of these Regulations, "manufacture" refers to a broad category of uses involving the use of mechanical power and machinery to produce products from raw materials, to prepare or alter materials for use in a finished product, or to assemble parts into products, including processing.

Manufactured Home - A structure built in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974 and as amended. [see also the definition of Modular Home] Does not include mobile homes, factory-built buildings, or recreational vehicles.

Master Development Plan – Defined in See Article 4.

Medical Marijuana Cultivation Facility - A building, structure, or premises used for the cultivation and storage of medical marijuana that is physically separate and off-site from a medical marijuana dispensary. Site Development Standards for Medical Marijuana Dispensaries are found in ~~Section 1825~~Article 18.

Medical Marijuana Dispensary - A nonprofit medical marijuana dispensary duly registered and certified pursuant to ~~A.R.S. § 36-2804~~Arizona Revised Statutes that sells, distributes, transmits, gives, dispenses, or otherwise provides medical marijuana to qualifying patients. Medical Marijuana Dispensaries are allowed in RU-4 and larger General Business and Light Industry Zoning Districts by Special Use Permit only. Site Development Standards for Medical Marijuana Dispensaries are found in ~~Section 1825~~Article 18.

Medical Marijuana Dispensary Cultivation Facility - A building, structure or premises where marijuana will be cultivated for sale at a non-profit medical marijuana dispensary duly registered and certified pursuant to A.R.S. § 36-2804. Site Development Standards for Medical Marijuana Dispensaries are found in Section 1825.

Medical Marijuana Infusion Facility - A facility that incorporates medical marijuana into consumable/edible goods by means of cooking, blending, or any other type of incorporation. Site Development Standards for Medical Marijuana Dispensaries are found in Section 1825.

Medical Marijuana Uses - Shall include collectively medical marijuana cultivation facilities, medical marijuana dispensaries, medical marijuana dispensary cultivation facilities, medical marijuana infusion facilities, medical marijuana use per Arizona Revised Statutes, Title 36, Chapter 28.1.

Mini-Warehouses/ ~~(also sSelf-sStorage Ffacilities)~~ - Buildings ~~which may include outdoor storage areas~~ which are ~~composed of contiguous individual rooms which are~~ rented to the public for the storage of personal property and which have independent access and locks under the control of the tenant. May include outdoor storage areas.

Mining - Those activities conducted to develop or extract materials from ~~the earth, a mine~~ including on-site transportation, concentrating, milling, leaching, smelting or other processing of ores or other materials. A mine includes all lands containing excavations, underground passageways, shafts, tunnels and workings, structures, facilities, equipment, machines or other property including impoundments, retention dams, tailings and waste dumps, on the surface or underground, used in, to be used in or resulting from the work of extracting minerals or other materials, excluding hydrocarbons. Mining includes that portion of an operation which mixes rock, sand, gravel or similar materials with water and cement or with asphalt, provided that the operation is either physically connected to the mine or is so interdependent with the mine as to form one integral enterprise.

Mobile Home - A structure built prior to June 15, 1976 on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a dwelling when connected to on-site utilities. ~~except Does not include~~ recreational vehicles, ~~and~~ factory-built buildings, or manufactured homes.

Mobile Home, Rehabilitated - A mobile home that has been rehabilitated ~~to meet the ICC Existing Building Code~~ and certified as such by Cochise County, or that exhibits the Arizona State Office of Manufactured Housing Rehabilitation insignia.

Mobile or Manufactured Home Park - A site or parcel of land under single or unified ownership upon which three or more mobile homes, manufactured homes, factory-built buildings or a combination thereof, are set up as residences, regardless of whether ~~or not a charge is made for such accommodations except the units are permanently occupied or offered as rental units.~~ In Comprehensive Plan Category D Growth ~~a~~ Areas designated Rural, six or more mobile homes, manufactured homes, factory-built buildings or a combination thereof shall be considered a mobile or manufactured home park.

Mobile Home or Manufactured Home Space - A plot of ground within a mobile home or manufactured home park designed for the accommodation of 4 one mobile home or manufactured home together with its accessory structures.

~~**Monuments** - See Section 1904.14.~~

Motion Picture Production Site/Studio - Permanent facilities for the filming, processing, editing, or production of motion pictures, involving the use, construction or structural alteration of buildings or structures.

Offender Rehabilitation Facility - An operation, licensed in the State of Arizona, for individuals who are legal offenders on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, such as in a mobile program agency as defined by the State of Arizona, wherein supervision, rehabilitation, or counseling is provided.

Open Space - Open space refers to any area of a site which is not occupied by buildings, structures, parking areas, streets, drives, or any outdoor use other than ~~open an outdoor~~ recreation ~~facility area~~.

Out-building - Barn, shed, garage, lean-to or other similar building used to store items that will be used on the property, or to house animals (except RVs which are only permitted as an Accessory Use) that is accessory to the principal use except as allowed without a principal use in Articles 6 and 7.

Parking Area, Minimum - The minimum on-site area required for off-street parking and loading. This includes all spaces, drives, aisles, and maneuvering areas required to serve those spaces.

Parking Lot, Commercial - A structure or lot used for parking or storage of operational vehicles as a principal use of a site, which ~~not including impoundment storage yards~~; may or may not be used on a fee-paying basis. Does not include impoundment storage yards.

~~**Permanently Affixed** - A structure that is not readily moveable and is attached to the ground.~~

Personal and Professional Services - Facilities which provide the following or similar personal services: pet grooming, laundering, dry cleaning, rug cleaning, beauty and barber services, photographic and recording services. Offices which provide the following or similar professional services: legal, real estate, engineering, architectural, design, ~~dental, health~~, counseling and financial services.

Plan Designation - Within the four Growth Areas established by the Cochise County Comprehensive Plan there are Plan Designations which classify land by either its present use or present or evolving character. These are further described in Article 4.

Planned Development - A planned development is land under unified control, planned and developed as part of an approved Master Development Plan. See Article Section 15.
~~a whole: (a) In a single development operation or definitely programmed series of development operations, including all lands and buildings; (b) With principal and accessory structures having a substantial interrelationship; (c) According to comprehensive and detailed plans which include not only streets, utilities, lots, or building sites and the like, but also site plans, floor plans, and elevations for all buildings as intended to be located, constructed, used, and related to each other (to the extent required for determinations to be made under these Regulations), and detailed plans for other uses and improvements on the land as related to the buildings, including drainage, circulation, landscaping, and open space and recreation; and (d) With a program for provision, operation, and maintenance of such areas, improvements, facilities, and services as will be for common use by some or all of the occupants of the district but will not be provided, operated, or maintained at general public expense.~~

Principal Use - The primary use and chief purpose of a lot or structure as distinguished from an accessory use or structure. A site may contain multiple "principal uses," each of which must meet the requirements of these Regulations, unless otherwise limited by individual Zoning Districts.

Recreational Facilities, Indoor and Outdoor - An area designed and equipped for active recreation, sports, or leisure time activities and other customary and similar activities for public or private use, including, but not limited to parks, baseball or softball diamonds, soccer and football fields, tennis courts, and roping and equestrian arenas. This does not include fairgrounds, amusement parks, zoos, or outdoor firearms, skeet, archery or trap-shooting ranges, or unlighted facilities which are accessory to a permitted principal use. Lighted roping arenas accessory to a residential permitted principal use for private use only are allowed.

Recreational Vehicle - A vehicular type unit which is:

- A. A portable camping trailer mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold for camping.
- B. A motor home designed to provide temporary living quarters for recreational, camping or travel use and built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.
- C. A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than 320 square feet not more than 400 square feet when it is set up, except that it does not include fifth wheel trailers.
- D. A travel trailer mounted on wheels designed to provide temporary living quarters for recreational, camping or travel use, ~~of a size or weight that may or may not require special highway movement permits when towed by a motorized vehicle~~ and has a trailer area of less than 320 square feet. ~~This type including~~ es fifth wheel trailers. ~~Should a unit require a size or weight permit, it shall be manufactured to the standards for park trailers in A119.5 of the American National Standards Institute Code.~~
- E. A portable truck camper constructed to provide temporary living quarters for recreational, travel or camping use and consisting of a roof, floor and sides designed to be loaded onto and unloaded from the bed of a pickup truck.
- F. Park models: Recreation Vehicle / Park Model (Destination) - A recreation vehicle which is designed for and is used for permanent residential use in a travel trailer/recreation vehicle park.

Recreational Vehicle Park - Any lot of land upon which three or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes. ~~The park may also include tents.~~

Recycling Center - A permanent enclosed facility for the collection, temporary storage and processing of recyclable materials, for efficient shipment; this does not include a junkyard. Sale of parts is not permitted. Processing for efficient shipment includes, but is not limited to, baling, compacting, crushing and flattening.

Recycling Drop-Off Receptacle - Accessory to a non-residential site; debris boxes or other enclosed receptacles into which recyclable materials or clothing may be dropped off. These materials are to be picked up and removed from the premises to maintain a clean and orderly site. Vectors and pests are to be controlled and fugitive trash or debris is to be contained and collected on-site. Not to be used as a drop off of hazardous materials.

Recycling Transfer Center - A heavy commercial or industrial-scale facility into which recycled materials are sorted, crushed, bundled, storage and/or distributed.

Regional Sewage Treatment Plants - A sanitary sewerage treatment facility, such as a municipal sewage treatment plant that is located on one property and provides sanitary sewerage treatment services to off-site properties. This does not include "package" plants operated by Owner Associations or

Special Improvement Districts serving lots within an individual subdivision or master development plan area which shall be deemed local or "on-site" sewage treatment plants.

Repair Services Large Engines - Services designed to repair large vehicles such as trucks with more than two axles, recreational vehicles, tractors, combines, and/or other large engines and may include incidental retail sales of parts.

Repair Services, Automotive and Small Engines - Services designed to repair vehicles with no more than two axles, recreational vehicles and/or other small engines and may include incidental retail sales.

Repair Services, Light - Services designed to repair items, such as watches, jewelry, furniture, electrical equipment, appliances and clocks and may include incidental retail sales.

Research and Testing Laboratories - Facilities for medical or scientific research and testing. Does, but not include facilities for the testing of equipment as a part of repair services and does not involve mass manufacture, and fabrication and/or retail sales.

Residential Care Home - A single-household dwelling licensed by the state which is used to provide housing and supervisory personal or custodial care services to not more than ~~tensix~~ (106) persons residing on the site. The home is a single-household dwelling for the purposes of all county ~~planning and~~ zoning ordinances and shall not be subject to non-residential site development standards, but shall require a use permit. A residential care home may include facilities for individuals who require special care for physical, mental or emotional reasons including, as defined by the State of Arizona, adult care homes, adult foster homes, homes for the elderly or the disabled ~~shelters for victims of domestic violence~~ and/or adult and juvenile group homes. This definition does not include an Offender Rehabilitation Facility. A residential care home may include a home for juveniles if it that meets the criteria of ~~Section~~ Article 1748.

The limitation of ~~tensix~~ (106) or fewer persons does not include the operator of a residential care home, members of the operator's family or persons employed as staff, except that the total number of all persons living at the residential care home shall not exceed ~~ten-fourteen~~ (1014). Only one residential care home is allowed per parcel or site.

Residential Care Institution - An operation licensed by the state, which is used to provide housing and supervisory personal or custodial care services to more than ~~six-ten~~ (610) persons residing on the site. A residential care institution may include facilities for individuals who require special care for physical, mental or emotional reasons including, as defined by the State of Arizona, adult care homes, adult foster homes, homes for the elderly or the disabled, ~~shelters for victims of domestic violence~~ and/or adult and juvenile group homes. This definition does not include an Offender Rehabilitation Facility. A residential care institution may include a home for juveniles that meet the criteria of ~~Section 1748~~.

Restaurants, Bars, Taverns and Nightclubs - An establishment which prepares and serves food and/or beverages on a commercial basis, which-and may include entertainment.

Retail Sales/Rentals - All sales of products for their final consumers. May include light manufacturing or assembling incidental to retail sales from the premises; provided, that not more than forty percent of the floor area occupied by such business is used for manufacturing, processing, assembling, treatment, installation and repair of products. All sales of products to their final consumers. May include on-site manufacturing incidental and accessory to the sale of goods such as, but not limited to, baked goods.

Retaining Wall – A man-made structure for the purpose of retaining soils or other materials for the purpose of stabilization of the soil or other materials. Minimum setbacks are not required for retaining walls.

Riding Stables, Commercial - Facilities for the boarding, exercise, and/or rental of horses on a commercial basis.

Right-of-Way (ROW) or Utility Easement– An easement or servitude over another's land conferring a right of passage, particular use, or predetermined type of construction including but not limited to electrical transmission line, water or sewerage conveyance systems, drainage structures or natural gas pipelines.

Roomers - Persons not a part of a principal household who reside in a dwelling on a paid or charitable basis.

Screening – Includes solid walls and fences, or any combination thereof that cannot be seen through, and are a minimum of 6 feet in height from grade. The screen shall be constructed out of standard materials or other acceptable materials approved by the County Zoning Inspector. An existing vegetative screen on the subject parcel may be approved by the County Zoning Inspector if it meets the intent of creating a solid screen.

Setback - The horizontal distance between the property line or road travelway and the foundation, wall or main frame of any building or structure, and between the property line and the outer perimeter of any outdoor area significantly involved in the use or activity of the site, including non-residential sales, rental, display, or storage areas. No structure/use permitted herein shall limit the rights of the owner of any underlying easements which burden a particular site from utilizing their easement.

Shopping Center - A unified development on a single site which contains a variety of business, service, and retail uses, and which has common ingress and egress, parking and drives.

Sign – Defined in See Article 19, Section 1904 (Signs) for all sign definitions.

Site - All actual land used, developed, intended to be developed or occupied for a use or group of uses, to include its buildings, structures, storage and service areas, streets, driveways, andwith any required setbacks around the perimeter of such land. In most cases, a site will be a single lot or parcel of record; however, a site may also be a portion of a lot or parcel, or even an aggregation of lots or parcels, whether under single or multiple ownership.

Site, Abutting - A site touching the boundary of the site proposed for the a use.

Site Area, Minimum - The minimum area of a site upon which a specific use(s) may be permitted. Easements may be included in the calculation of the minimum site area. Property that is transferred in fee simple to the public or to the County, as necessary to perfect adequate right-of-way for those roadways depicted on the Cochise County Maintained Road System Map, may also be included in the calculation of the minimum site area. A permit may be issued if the minimum site area deficiency can be attributed to surveyor error as denoted in the table below.

Zoning:	Density:	Square Feet:	Margin of Error (Square feet) (.00125):	Minimum Parcel Size (Square Feet):	Minimum Parcel Size (Acres)
RU					
	RU-2	87,120	108.90	87,011.10	1.9975
	RU-4	174,240	217.80	174,022.20	3.9950
	RU-10	435,600	544.50	435,055.50	9.9875
	RU-18	784,080	980.10	783,099.90	17.9775
	RU-36	1,568,160	1,960.20	1,566,199.80	35.9550
R					
	R-9	9,000	11.25	8,988.75	0.2064
	R-18	18,000	22.50	17,977.50	0.4127
	R-36	36,000	45.00	35,955.00	0.8254
SM					
	SM-9	9,000	11.25	8,988.75	0.2064
	SM-18	18,000	22.50	17,977.50	0.4127

SM-36	36,000	45.00	35,955.00	0.8254
SM-87	87,120	108.90	87,011.10	1.9975
SM-174	174,240	217.80	174,022.20	3.9950
SM-10 Acres	435,600	544.50	435,055.50	9.9875
SM-18 Acres	784,080	980.10	783,099.90	17.9775
SM-36 Acres	1,568,160	1,960.20	1,566,199.80	35.9550
SR				
SR-8	8,000	10.00	7,990.00	0.1834
SR-12	12,000	15.00	11,985.00	0.2751
SR-22	22,000	27.50	21,972.50	0.5044
SR-43	43,560	54.45	43,505.55	0.9988
SR-87	87,120	108.90	87,011.10	1.9975
SR-174	174,240	217.80	174,022.20	3.9950
SR-10 Acres	435,600	544.50	435,055.50	9.9875
SR-18 Acres	784,080	980.10	783,099.90	17.9775
SR-36 Acres	1,568,160	1,960.20	1,566,199.80	35.9550
MR				
MR-1 or 2	3,600	4.50	3,595.50	0.0825

Site Coverage - The total percentage of the site covered with structures, buildings, paving, and impervious surfaces other than landscaping, gravel, walls and fences.

Solar Energy System - A device or devices, structural design feature, series of mechanisms, or combinations thereof, designed for the primary purpose of producing electrical or mechanical power for use primarily on premises; some conveyance of electricity to the grid is allowed.

Solar Energy Power Plant - A commercial-scale solar energy system, the purpose of which is to supply solar-generated electricity to off-site consumers; accessory structures may include buildings, substations and associated electrical infrastructure. The term does not include stand-alone, small scale Solar Energy Systems for on-site residential or agricultural use.

Solid Waste Landfill - A site approved by the State for the collection and/or disposal of non-hazardous solid wastes.

Special Use Authorization - A land use which has been approved by the Planning Commission as a Special Use according to the procedures and criteria set forth in Section 1716 Article 17 herein.

Storage Area, Outdoor - Any storage of objects or materials which is located outside the confines of a building. Outdoor storage does not include merchandise within an outdoor display area. Non-residential outdoor storage does not include vehicles awaiting repair.

Street - A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles.

Street, Arterial - A street with the principal function of maintaining through traffic flow, separate from local traffic, to and from areas of principal traffic generation and designed for high volumes and high speeds of traffic. Efficient movement is the primary function of the arterial streets, hence, there is limited access to and from local streets and individual parcels. Arterial streets shall include all State and Federal routes and those that are classified as such on an adopted traffic circulation plan or master plan.

Street, Collector - A street that conducts and distributes traffic from arterial streets to lower volume local streets. Collector streets shall include section-line and mid-section-line streets, unless they are functioning or intended to function as arterials or local streets, and any street so designated on an adopted traffic circulation plan or master plan.

Street, Local - A street that which functions to serve direct access to individual parcels or a street so

designated on an adopted traffic circulation plan or master plan.

Structure - Anything constructed or erected with fixed location on the ground, or attached to something having a fixed location on the ground, including, but not limited to buildings, towers, swimming pools carports and billboards.

Structure, Temporary - Anything constructed, placed or erected ~~that which~~ is readily movable and is used or intended to be used for a limited period of time. Such temporary structure shall be subject to all applicable requirements of these Regulations for the Zoning District in which it is located.

Substandard Lot - A lot that does not meet the minimum site area requirements for the zoning district in which the lot is located. Permits may not be issued for a substandard lot that is not legal nonconforming, unless the non-conformance is resolved through a Rezoning, Variance, or Administrative Lot Modification.

Swap Meets - A non-residential use outdoors or within a building in which stalls or sales areas are set aside, and rented or otherwise provided, and which are intended for use by various unrelated individuals to sell articles on a recurring basis.

Terminals/ Bus, Truck and Rail - Facilities for the storage, dispatching, loading and unloading of buses, trucks or trains and includes facilities for incidental repair and maintenance of vehicles associated with the principal use, and for the temporary impoundment of operational vehicles.

Transient Camps/Migrant Labor Camps - Facilities for the temporary or long-term lodging of transients or migrants, whether in permanent quarters or temporary structures, and permanent or temporary facilities for lodging migrant laborers.

Travelway – The physical portion of a public or private road or easement used by vehicles for access, not including private driveways. In the case of a road which includes defined shoulders, the paved shoulder is included in the travelway.

Truck Stops - Buildings or premises in which or upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products directly into motor vehicles, the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop may also include overnight accommodation, convenience store and restaurant facilities.

Use - The purpose for which land or a building is occupied, ~~or~~ maintained, arranged or intended.

Use, Non-Residential - The use of land for a purpose other than one or two single or multiple-family dwelling units.

Variance - A deferral, modification or waiver of the terms of these Regulations granted by the appropriate Board of Adjustment pursuant to Article 21 of these Regulations.

Wall - See "Fence."

Welfare and Charitable Services - Services operated by public agencies or private associations for the benefit of the needy, or for mental, behavioral, medical or protective assistance for the public benefit.

Wholesaling, Warehousing, Distribution or Storage – The sale or storage of manufactured products.

Wind Energy Power Plant - is a utility-scale Wind Energy System, the primary purpose of which is to supply electricity to off-site consumers, consisting of a network of Wind Turbines and accessory structures and buildings, including substations, anemometers, and associated electrical infrastructure. The term does not include stand-alone, small-scale Wind Energy Systems for on-site residential or agricultural use which feed residual power into the electrical grid, as defined by the Arizona Corporation Commission. ~~Wind Energy Power Plants are allowed in Rural, Light Industry and Heavy Industry Districts by Special Use Permit only (See Section 1822.10)~~

Wind Energy System - means a system which uses one or more wind turbines, batteries, power inverters and other associated components to convert the kinetic energy of the wind into electricity for use by consumers. Wind energy systems consisting of one or more Wind Turbines may provide power to one or more residences, well pumps, or accessory structures on the same parcel on which they are sited. ~~Site Development Standards for Wind Energy Systems are found in Section 18.22.~~

Wind Turbine - refers to that portion of a Wind Energy System that converts the kinetic energy of the wind into electricity. Wind Turbines may be freestanding or mounted onto a structure. Wind Turbines are the main components of a Wind Energy System, which may include more than one turbine.

Winery, Farm – An on-site agricultural processing service in which grapes grown on-site are processed into wine, not to exceed 40,000 gallons per year.

Winery, Small Production – An agricultural processing service in which grapes grown off-site are processed into wine, no to exceed 40,000 gallons per year.

Winery, Large Production - An agricultural processing service in which grapes grown on-site or off-site are processed into wine, in quantities greater than 40,000 gallons per year.

Winery Tasting Room – A building or portion thereof, subordinate in size and accessory to a Farm vineyard, Farm Winery, Small Production Winery or Large Production Winery operation, in which wine may be sampled for purchase. A Winery Tasting Room may also include incidental retail sales of wine and related products.

Wireless Communication Tower – Any support structure, including lattice-type towers and monopoles, used to achieve the necessary elevation for ~~wireless~~-communication equipment.

Yard Sale - A sale of items conducted on a residential site and incidental to the principal dwelling. Yard sales shall be held on an infrequent or occasional basis only, and shall not constitute a business.

Zoning District- One of the zoning classifications established in Section 501 of these Regulations, or any contiguous area of land having the same zoning classification.

Zoning District, Commercial - Any NB (Neighborhood Business) or GB (General Business) ~~z~~Zoning ~~d~~District.

Zoning District, Industrial - Any LI (Light Industrial) or HI (Heavy Industrial) Zoning District.

Zoning District, Residential - Any SR (Single-Household), SM (Single-Household/Manufactured Home), MR (Multiple-Household), or R (Residential) Zoning District or RU (Rural) Zoning District designated ~~by~~ ~~the~~ Comprehensive Plan ~~with a~~ Rural Residential designation.

Zoning Inspector, County - The Cochise County Community Development Director or duly authorized representative.

ARTICLE 3

GENERAL PROVISIONS

301 General Rules

301.01 Language of Regulations

The word "shall" is mandatory and the word "may" is permissive.

The word "person" includes a firm, association, organization, partnership, trust, company, corporation, or other similar legal entity as well as an individual.

When not inconsistent with the context, the present tense includes the future tense, the singular number includes the plural number, and the plural number includes the singular number.

301.02 Fractional Numbers

Except for determining "acreage" area, whenever a fraction of a number or unit is one-half or more, and whenever a fraction of a number or unit resulting in computation is one-half or more, said fraction shall be considered as the next higher whole number or units. Where the fraction is less than one-half, said fraction shall not be considered in determining the number.

301.03 Land Use Classification

Pertaining to the classification of uses, the standard system for identifying and coding land use activities found in "Standard Land Use Coding Manual," U.S. Department of Transportation, Washington, D.C., as amended, shall be used as a reference for determining the use of land unless uses are otherwise classified in these Zoning Regulations.

301.04 Definitions

Unless a term is specifically defined in Article 2 or elsewhere in these regulations, the common definition as contained in Merriam-Webster's Online Dictionary (<http://www.merriam-webster.com/dictionary>) or similar standard dictionaries will be used.

302 Conformance Mandatory

No structure shall be used, constructed, altered, or moved, nor shall any land be used or improved unless exempted by these Zoning Regulations.

303 Resolution of Disputes

In any dispute concerning these Zoning Regulations, that resolution shall be favored which is more reasonable with regard to the purposes of these Regulations, and established and accepted principles of Arizona and United States Planning and Zoning law.

304 Special Privileges Forbidden

No special privileges shall be granted to any person under the terms of these Zoning Regulations.

305 Minimum Requirements

The provisions of these Zoning Regulations shall be the mandatory minimum requirements, unless otherwise stated.

Whenever these Zoning Regulations impose a greater restriction than is required by other provisions of law, the provisions of these Zoning Regulations shall prevail.

306 Private Agreements

The provisions of these Zoning Regulations shall apply independently of any easement, covenant, deed restriction, or other agreement between private persons except as addressed in Article 20, or as noted in these Regulations.

307 Uses Prohibited

Any use not permitted in a district, either as a permitted use or as a special use, is specifically prohibited from a Zoning District. A use shall be permitted only if it reasonably fits under the generic category of uses and is not otherwise excepted therefrom.

ARTICLE 4

PLAN AREA DESIGNATIONS AND MASTER DEVELOPMENT PLANS

401 Plan Area Categories & Designations

The following Area categories and Plan Designations are hereby established, the boundaries of which are set forth on the Land Use Plan Maps of the Comprehensive Plan, incorporated herein by reference:

401.01 There are six (6) categories of Areas.

- A. Category A – Urban Growth Areas
- B. Category B – Community Growth Areas
- C. Category C – Rural Community Areas
- D. Category D – Rural Areas
- E. Master Development Plan (MDP) Areas
- F. Community/Neighborhood Area Plan Areas

401.02 As contained in the Cochise County Comprehensive Plan, there are seven (7) Plan Designations, each of which may occur in the categories indicated.

- A. Neighborhood Conservation (NC) (Categories A, B & C)
- B. Enterprise (ENT) (Categories A, B & C)
- C. Developing (DEV) (Categories A, B & C)
- D. Neighborhood Rehabilitation (NR) (Categories A, B & C)
- E. Enterprise Redevelopment (ER) (Categories A, B, & C)
- F. Rural Residential (RR) (Category D)
- G. Rural (R) (Category D)

401.03 Other Plan Areas, including ~~master development plan~~MDPs, community/neighborhood area plans, and specific area plans may be established. These may either replace existing plan designations identified in this Section in total, or may include specific policies, elements or standards that modify, replace or supersede other general requirements. These Plan Areas may contain elements that address specific such as land use(s), including, but not limited to, types of development, such as cluster/compact development, housing, circulation, and transportation, recreation, public safety services and facilities, historic preservation, waterhousing, conservation, agricultural/farmland preservation, open space and natural resources rehabilitation or redevelopment, recreation, safety, public services, facilities and bicycling, and any other policies and procedures applicable thereto.

402 Declaration

The Plan Designations identified herein comprise the broad parameters for land use delineated in the Cochise County Comprehensive Plan, within which the orderly and well-planned growth and conservation of resources within of the unincorporated areas of Cochise County may occur. Zoning District formation shall be consistent with the character of the Plan Designation or Area in which the site is located. No application will be accepted and no public hearing will be scheduled to consider any proposed Zoning amendment that is not consistent with the applicable plan designation. Therefore, public hearings to consider Zoning changes shall be granted only for those Zoning Districts listed below as being permitted in the applicable plan designation, unless

otherwise provided for pursuant to an adopted community plan, area plan, neighborhood plan, or ~~master development plan~~MDP, or unless an appropriate plan amendment is submitted in conjunction with the proposed Zoning change. The Zoning Districts authorized within each respective plan or area designation are as follows:

Plan Designation	Permitted Zoning Districts
Neighborhood Conservation (NC)	R-36, R-18, R-9, NB, SM-36, SM-18, SM-9, SR-43, SR-22, SR-12, SR-8, MR-1, MR-2
Enterprise (ENT)	NB, GB, LI, HI
Developing (DEV)	RU-2, R-36, R-18, R-9, SM-87, SM-36, SM-18, SM-9, SR-87, SR-43, SR-22, SR-12, SR-8, MR-1, MR-2, NB, GB, LI, HI
Neighborhood Rehabilitation (NR)	Same as NC
Enterprise Redevelopment (ER)	Same as ENT
Rural Residential (RR)	RU-36, RU-18, RU-10, RU-4, RU-2, SM-36 Acres, SM-18 Acres, SM-10 acres, SM-174, SM-87, SR-36 Acres, SR-18 Acres, SR-10 acres, SR-174, SR-87
Rural (R)	RU-36, RU-18, RU-10, RU-4, RU-2, SM-36 Acres, SM-18 Acres, SM-10 acres, SM-174, SM-87, SR-36 Acres, SR-18 Acres, SR-10 acres, SR-174, SR-87, HI

403 Identifying Plan Areas by Growth Area Category

The following principles shall be used as official guides in identifying plan areas as Category A (Urban Growth), Category B (Community Growth), Category C (Rural Community Growth), or Category D (Rural):

403.01 Identifying Plan Areas as Urban Growth (Category A)

- A. The area has established or planned residential and/or non-residential development, and has the potential to be annexed by an abutting incorporated city.
- B. The area can be adequately served by an adjacent community sewer system, potable water system, and fire district.
- C. Average residential lot sizes are less than one acre in size.
- D. The area provides major regional commercial and other non-residential services.
- E. Street improvements and urban site development standards (e.g. limitations on residential outdoor storage and requirements for asphaltic parking areas) are appropriate.
- F. The area has the potential for or is currently served by adequate drainage, transportation and K-12 school systems, as well as organized recreational facilities that can serve high-density development.

403.02 Identifying Plan Areas as Community Growth (Category B)

- A. The area to be designated has a moderate level of residential and/or non-residential growth.

B. The area serves as a logical transition between urban growth and rural areas and/or has a distinctive community identity. It may serve as a commercial center or "townsite" for a rural community.

C. The area has adequate water, access, drainage and sewage disposal capability to accommodate medium to high density development.

D. In general, residential lot sizes are one-acre or less in size but may transition to larger lot sizes at the fringes of the area. Smaller-lots may sizes have access to an on-site or off-site sewer facility,ies and/or potable water and are commonly found in established subdivisions and manufactured/mobile home parks or historic town sites.

E. Improved streets designated as arterial or collectors can support limited non-residential development.

F. There is substantial potential for further development along with opportunities to preserve undeveloped land such as recreational resources, i.e. open space and washes.

403.03 Identifying Plan Areas as Rural Community (Category C)

A. Residential and non-residential development is clustered in settlements on a variety of lot sizes as typified in established townsites and immediate environs.

B. Other than arterials and collectors, roads are generally unimproved. However, increases in residential and non-residential development will likely warrant improvements, such as paving, in the future.

C. Farming and ranching are prevalent activities adjacent to these areas.

D. Non-residential enterprises generally serve the rural/agricultural community as well as visitors passing through, if located on a major arterial road.

403.04 Identifying Plan Areas as Rural (Category D)

A. The outlying rural areas between cities and unincorporated communities, characterized by a low rate of growth; unimproved roads; low density, large lot rural residential development; agricultural production; and large tracts of undeveloped private and public lands.

B. The area does not currently meet the criteria for inclusion in either A, B, or C Growth Areas.

404 Guiding Principles for Amending Plan Designations

The following principles shall be used as official guides in determining whether or not a plan designation shall be amended:

404.01 Designating Areas as Neighborhood Conservation (NC)

A. The area to be designated as Neighborhood Conservation must be included in a Category A, B, or C Growth Area, established or enlarged in accordance with Subsections 403.01, 403.02, 403.03.

B. The area to be designated is a developed residential neighborhood that needs protection from non-residential uses; or

C. The area is an approved subdivision for which all required improvements are in place and constructed to minimum County standards.

404.02 Designating Areas as Enterprise (ENT)

A. The area to be designated as Enterprise must be included in a Category A, B, or C Growth Area, established or enlarged in accordance with Subsections 403.01, 403.02, 403.03.

B. The area to be designated consists primarily of commercial or industrial enterprises.

C. Enterprise development has reached the level whereby additional residential growth within the area to be designated is undesirable to the parties in interest.

D. The area to be designated contains, or can provide, sufficient dedicated public access, improved to County standards, to carry traffic that will be generated by and to such area.

E. The carrying capacity of the land can accommodate enterprise uses.

404.03 Designating Areas as Developing (DEV)

A. The area to be designated as Developing must be included in a Category A, B, or C Growth Area, established or enlarged in accordance with Subsections 403.01, 403.02, 403.03.

B. Lands that are developed with scattered, mixed residential, business or industrial and agriculture-related uses and that ultimately will accommodate future growth as the more populated areas reach build-out.

404.04 Designating Areas as Neighborhood Rehabilitation (NR)

A. The area to be designated is within a Category A, B or C Growth Area.

B. The area is a residential neighborhood with a high number of deteriorating dwellings.

C. The infrastructure of the area is unable to provide for adequate public health, safety, welfare and general convenience.

D. There is community interest in improving the area.

E. Some flexibility in site development and building code standards may be appropriate to facilitate improvements (see Article 17 - Lot Development Administrative Modifications).

404.05 Designating Areas as Enterprise Redevelopment (ER)

A. The area to be designated is within Category A, B, or C Growth Area.

B. The area is:

1. Comprised of a high number of deteriorating enterprise uses; and/or
 2. Has a large number of incompatible neighborhood and enterprise uses that are deteriorating.
- C. The infrastructure of the area is unable to provide for adequate public health, safety, welfare and general convenience.
- D. There is some existing community interest in improving the area.
- E. Some flexibility in site development and building code standards may be appropriate to facilitate improvements (see Article 17 - Lot Development Administrative Modifications).

404.06 Designating Areas as Rural Residential (RR)

The "Rural Residential" (RR) plan designation is used to describe areas in Category D (Rural) areas with a definite pattern of residential development on larger lots, two-acres or larger in size. Due to the well-established residential character of these areas, rezonings or special uses to allow for more intensive developments that do not directly serve the residents of these areas are not generally appropriate. Less intensive businesses that serve area residents may be appropriate.

404.07 Designating Areas as Rural (R)

Areas designated as "Rural" are identified as those remaining lands in Category D Rural Areas that are not designated Rural Residential. They are identified by one or more of the following characteristics: sparsely populated; larger lot sizes; agricultural production or grazing; availability of sites large enough for intensive industrial uses that can not be accommodated in other growth areas; large expanses of private and public lands; and/or have developed and undeveloped recreational resources.

405 Major Amendments – Definition

An amendment to the Comprehensive Plan shall be considered a "major amendment" if it would result in a substantial alteration of the County's land use mixture or balance as established in the existing Comprehensive Plan land use element for that area of the County.

A "substantial alteration" is defined as an amendment of the Comprehensive Plan that would result in an increase in the potential densities or intensities of uses for an area of two thousand (2000) acres or more.

406 Master Development Plan MDPs

406.01 Definition

An **MDP** is a duly adopted component of the Cochise County Comprehensive Plan that provides a detailed plan for the coordinated development of a specific area. A **master development plan MDP** will address, at a minimum: basic densities and water adequacy; specific future land uses and boundaries thereof; the general character, extent, and location of major thoroughfares, collector streets, and other modes of transportation; major drainageways and flood control; structures; open space; schools, parks, utility installation and community facilities as applicable, for a designated area of Cochise County.

406.02 Purpose

While growth category and community/neighborhood plan boundaries seek to guide growth and establish policies around and within existing rural service communities and urban areas, the purpose of a ~~MDP~~master development plan is to establish County policy regarding future development of a specific area warranting more detailed planning. The adoption of a ~~master development plan~~MDP by the Board of Supervisors will serve as an amendment to the Comprehensive Plan and will replace the existing, underlying growth category and plan designations for the property or properties that it addresses. ~~MDP~~aster development plans shall be required if one or more of the following are proposed:

- A. A proposed change of an existing Growth Category D, Rural Area or Rural Residential designation, to be applicable to an area that is not contiguous to an existing Growth Category A, B, or C area. This does not include amendments initiated by the Planning Commission;
- B. A proposed Zoning amendment for 10- acres or more, if the amendment includes a mixture of new residential and non-residential Zoning Districts;
- C. A proposed Zoning amendment in Category A, B and C Growth Areas for 160- acres or more where the proposed gross density, will be greater than one residence per acre;
- D. A proposed Zoning amendment that includes a Planned Development (PD) Zoning District (see Article 15);
- E. A proposed rezoning to Heavy Industry (HI) in a Category D area that has the potential to include more than one principal use;
- F. A proposed major amendment to the Comprehensive Plan that is submitted for the purpose of authorizing one or more development projects. This does not include major amendments initiated by the Planning Commission.

406.03 Limitations

~~MDP~~aster development plans shall not be adopted if they are incompatible with adjacent categories and designations, or the policies of adopted community/neighborhood area plans, where applicable.

406.04 Status of ~~Master Development Plan~~MDP

- A. ~~MDP~~aster development plans constitute official guides for the Commission, Board of Supervisors, and all County officials and agencies for accomplishing a coordinated, orderly and well-planned development of specific unincorporated areas through Zoning Regulations, subdivision design regulations, floodplain regulations, establishment of setback lines, road alignments, land use locations, and other methods provided by law.
- B. ~~MDP~~aster development plans constitute official notice to all agencies and to the general public of the general lands for development of the designated area.
- C. All development within an approved ~~MDP~~master development plan area shall be substantially in conformance with the provisions of that plan.
- D. All development within an approved ~~master development plan~~MDP area shall conform to all site development standards, and the Cochise County subdivision

regulations, as applicable, unless specifically waived or modified by the Board of Supervisors in the approval of the ~~master development plan~~MDP.

406.05 Effect of ~~Master Development Plan~~MDPs Upon Zoning Changes and Subdivision Plat Approvals

In amending Zoning classifications, changing Zoning District boundaries, or approving subdivision plats for properties included within an adopted ~~master development plan~~MDP, the Commission and/or Board of Supervisors may allow minor variations from that adopted plan for Zoning District boundaries, exact land use classification, or the exact character, extent and location of major thoroughfares, collector streets, drainageways, structures, open space, schools, parks and other community facilities. However, in allowing these minor variations, the Commission and/or Board of Supervisors shall not alter the policy set by the ~~master development plan~~MDP with regard to basic densities, general boundaries of the various land use districts, and the general character, extent and location of the major thoroughfares, collector streets, drainageways, structures, open space, schools, parks, and other community facilities. In the event that the Commission and/or Board of Supervisors desire to alter the policy set by a ~~master development plan~~MDP, they may amend the plan by following the procedures set forth in Section 407 herein. Zoning amendments which conform to adopted ~~master development plan~~MDPs shall not be considered "spot" Zoning.

406.06 Submittal Requirements for ~~Master Development Plan~~MDPs

A. The Applicant shall submit a ~~master development plan~~MDP map, drawn at a scale of either 50, 100, or 200-feet to one-inch, or at a scale approved by the County Zoning Inspector, which provides including the following information:

1. Title of the development, a legal description of the property, parcel number(s), name of the developer and registered land surveyor or engineer, date of the plan, a north arrow and scale.
2. A vicinity map showing the general location of the property, development and any incorporated city boundaries within 3-miles of the development.
3. Boundary lines and ties to at least two section corners or quarter corners, and dimensions of plan area boundaries. Section lines and mid-section lines shall be clearly designated.
4. Existing land uses, existing Zoning status, roads and wash corridors within the designated area and within one-quarter (¼) mile of the proposed plan area.
5. Proposed sizes of the various types of lots or parcels to be developed (acreage or square footage).
6. General topography, at 10-foot contour intervals, all drainageways having a contributing drainage area of 150- acres or more, and all flood hazard zones.
7. Major street layout, including: existing major thoroughfares serving, traversing, abutting, or otherwise affecting or affected by the proposed plan area; proposed collector and arterial streets; existing easements and right-of-way within the plan area.

8. If more than one Zoning District is proposed, boundaries of the different Zoning Districts.

9. Locations of proposed and existing structures, land use locations, major off-street parking and loading areas, open space, pedestrian-trail circulation systems, bike and/or equestrian trails, public facilities such as schools, parks or other recreation opportunities as applicable and approximate densities.

10. General location of utilities, easements and other service facilities.

11. Intended phasing of the development, if applicable.

-B. The master development planMDP map shall be accompanied by a written report, to be adopted as a part of the master development planMDP that includes the following information:

1. Methods of screening and buffering, where incompatible land use configurations necessitate protection for the proposed development or surrounding development.

2. Provisions for creation, use and maintenance of open space, recreation areas and habitat preservation of and/or scenic features of the land.

3. General provisions for pedestrian, bicycle and equestrian circulation throughout the development.

4. Statement specifying how roads, State-approved waste disposal, water supply, fire protection, and utilities will be provided, with approximate timing and location, including closest sewer and community waterlines and capacity to serve this development.

5. Statement specifying how amenities are to be provided (sidewalks, open space, parks, recreational facilities, streetlights, curb and gutter, landscaping) including approximate timing and location.

6. Statement of general kinds of development standards intended to be controlled through deed restrictions (i.e., architectural design, building height, construction materials, common area development and maintenance, landscaping, screening and buffering of individual sites).

7. Statement of the projected population and anticipated impact of the development upon existing regional utilities and community facilities and services including, but not limited to water, electricity, sewer and solid waste disposal, schools and parks, police and fire protection.

8. An Analysis of Adequate Water Supply, issued by the Arizona Department of Water Resources, determining that sufficient water is physically available to meet the water demands of the development, or a commitment to provide water service to the development by a water provider designated by the Arizona Department of Water Resources as having an adequate water supply.

9. Projected trip generation for the entire project at completion. If projected trip generation is of sufficient magnitude to significantly increase traffic, thereby reducing the level of service on one or more abutting or surrounding streets, or where existing demonstrable traffic problems have already been

identified such as high number of accidents, substandard road design or surface, or the road is near, at, or over capacity, a traffic impact study including the following additional information is necessary:

- a. Survey of thoroughfares, existing and planned, within at least one-half (½) mile of the proposed plan area and may extend to collector and arterial streets serving the site.
- b. Consolidation of existing traffic data; estimates of future traffic.
- c. Trip assignments and their effect on traffic flow along streets serving the site.
- d. Proposed thoroughfare alignments, capacities, signalization requirements, lanes, and intersection configurations, ~~etc.~~
- e. Timing and methods of right-of-way improvements as necessary to serve projected traffic loads.
- f. Current level of improvement of major routes serving the site (i.e. built to County standards).
- g. An inventory and analysis of off-site improvements to be made, with approximate timing for each phasing.
- h. Provisions for controlling access to major streets.

10. Provisions for water conservation measures such as effluent re-use, recharge facilities, greywater systems, water harvesting systems, low-flow fixtures and appliances, deed restrictions governing water use, drought-tolerant landscaping including turf, limitations, low flow ~~on~~ irrigation, or others.

11. Descriptions of renewable energy systems on individual lots, structures and/or community-wide networks.

~~142.~~ Soils analyses for any proposed plan area shown on the most recent soil survey (USDA, Natural Resources Conservation Service) as containing soils having moderate to severe erosion hazards or corrosivity.

~~123.~~ 3-Dimensional renderings of the development proposal overlaid onto aerials or maps showing the visual context of the proposed development in relation to existing development and/or staking when appropriate to evaluate impact on views.

~~143.~~ Statement of development, or phases, not to exceed 5 years from approval unless otherwise approved by the Board of Supervisors.

C. Certain submittal requirements in Sections A and B may be waived upon a determination by the County Zoning Inspector that they are not applicable or necessary to the proposed application.

407 Procedures for Amendments to Comprehensive Plan

407.01 Pre-Application and Public Participation Requirements

Applicants proposing any amendment to the Comprehensive Plan, including ~~master development plan~~MDPs, will be required to follow the procedures as stated in the Cochise County Comprehensive Plan under "Public Participation Requirements for Comprehensive Plan Amendments" (~~Article 3, Section 2 in its entirety~~). If the Comprehensive Plan amendment also includes a proposal to amend Zoning District boundaries, then the notification requirements set forth in ~~Section Article 22~~03 of these Zoning Regulations shall be applied instead.

407.02 Public Participation Report Submittal Requirements

A report documenting the Public Participation Process shall be required as part of the application for amendments to the Comprehensive Plan. This report shall, at a minimum, include: copies of notices; copies of all information provided to the public; any responses received from the public during this process; and a description of how the Applicant responded to this feedback.

407.03 Commission and Board Actions

Applications for amendments to the Comprehensive Plan, including ~~master development plan~~MDPs, shall be made to the Commission on a form provided by the County Zoning Inspector, and shall be accompanied by the appropriate fee as set forth in the adopted Planning and Zoning Fee Schedule, Public Participation Report, ~~Master Development Plan~~MDP, if applicable, and supporting documentation. The Commission may initiate amendments to the Comprehensive Plan upon its own motive.

407.04 Before approval of any change to the Comprehensive Plan, the Commission shall hold at least one public hearing thereon, after giving at least 15-days notice by publication once in a newspaper of general circulation in the county seat. In addition, the notice shall be published in a newspaper of general circulation in the area to be affected, or adjacent thereto, if the area affected is other than the county seat. A recommendation of approval by the Commission shall require the affirmative vote of a majority of the members present.

407.05 At this hearing, the Commission shall determine if the proposed amendment is consistent with the adopted goals and policies of the Cochise County Comprehensive Plan. The Commission may recommend that the proposed amendment be approved as submitted, that it be modified or conditioned, or that it be rejected in whole or in part.

407.06 Pursuant to ~~Arizona Revised Statutes~~ Statutes ~~ARS §11-806-F~~, 60-days prior to the Board of Supervisors meeting, the ~~Planning Community Development~~ Department shall transmit a formal notice of any major amendment or plan element to:

- A. The Board of Supervisors;
- B. All municipalities in the county;
- C. Each other county that is contiguous to the county;
- D. The regional planning agency in the county (Southeastern Arizona Government Organization (SEAGO));
- E. The Department of Commerce or any other state agency that is subsequently designated as the general planning agency for this state;
- F. Any person or entity that requests in writing to receive a review copy of the proposal;

- G. The military airport if the comprehensive plan or a portion, element or amendment of the comprehensive plan is applicable to territory in the vicinity of a military airport as defined ~~by in section 28-8461~~ Arizona Revised Statutes.

407.07 After the Commission makes its recommendation on an amendment to the Comprehensive Plan, the application shall be submitted to the Board of Supervisors for its consideration and official action. The Board of Supervisors shall hold one public hearing at which residents of the affected area and other members of the public shall be heard. At least 15 days' notice of the hearing shall be given by publication once in a newspaper of general circulation in the county seat. The Board shall consider protests and objections to the plan. The Board may adopt the plan as presented, impose conditions or modifications, or reject it in whole or in part. All proposed major amendments, as defined ~~previously (in Section 405)~~, for a given calendar year shall be presented to the Board of Supervisors, with the recommendations from the Commission, at a single public hearing, to be held during the last quarter of each calendar year. Applications for major amendments will only be accepted from the first business day in January to the last business day of August in order to allow for proper public notice, analysis and deliberation at this hearing.

407.08 A community/neighborhood area plan or ~~master development plan~~MDP may be amended by the same procedure as are herein established for its adoption.

407.09 Schedule of Development

The Board of Supervisors may approve a ~~master development plan~~MDP conditioned upon a schedule for the development of the specific use or uses, and associated improvements designated in the plan. This schedule shall not exceed five-years unless specifically authorized by the Board. If, at the expiration of any designated term, the developer has failed to comply with the applicable conditions, the Board shall schedule a public hearing to consider granting an extension, establishing an amended compliance schedule for development, or revoking approval of the ~~master development plan~~MDP. The owner or Applicant who requested plan approval, or any successor in interest, shall be notified of the hearing by registered mail.

407.10 Revocation of a Master Development Planan MDP

If the Board revokes its approval of a ~~master development plan~~MDP, the plan shall no longer provide a basis for any future development. If the developer has completed certain phases of the project as required by the approved plan, any such specific areas shall continue to be subject to the applicable, approved uses, densities, site development standards and conditions of the ~~master development plan~~MDP. All uncompleted phases will be subject to the plan area, category, site development standards and densities of the original Zoning District, as if the ~~master development plan~~MDP had never been implemented, until such time that a new comprehensive plan amendment is adopted and/or new Zoning district is approved.

ARTICLE 5

ZONING DISTRICTS, MAPS, AND BOUNDARIES

501 Establishment of Zoning Districts

The following Zoning Districts are re-established or established:

- 501.01 RU-36, Rural District
- 501.02 RU-18, Rural District
- 501.03 RU-10, Rural District
- 501.04 RU-4, Rural District
- 501.05 RU-2, Rural District
- 501.06 R-36, Residential District
- 501.07 R-18, Residential District
- 501.08 R-9, Residential District
- 501.09 SM-36 Acres, Single-Household/Manufactured Home Residential District
- 501.10 SM-18 Acres, Single-Household/Manufactured Home Residential District
- 501.11 SM-10 Acres, Single-Household/Manufactured Home Residential District
- 501.12 SM-174 (4-acres), Single-Household/Manufactured Home Residential District
- 501.13 SM-87 (2-acres), Single-Household/Manufactured Home Residential District
- 501.14 SM-36, Single-Household/Manufactured Home Residential District
- 501.15 SM-18, Single-Household/Manufactured Home Residential District
- 501.16 SM-9, Single-Household/Manufactured Home Residential District
- 501.17 SR-36 Acres, Single-Household Residential District
- 501.18 SR-18 Acres, Single-Household Residential District
- 501.19 SR-10 Acres, Single-Household Residential District
- 501.20 SR-174 (4-acres), Single-Household Residential District
- 501.21 SR-87 (2-acres), Single-Household Residential District
- 501.22 SR-43, Single-Household Residential District
- 501.23 SR-22, Single-Household Residential District
- 501.24 SR-12, Single-Household Residential District
- 501.25 SR-8, Single-Household Residential District
- 501.26 MR-1, Multiple-Household Residential District
- 501.27 MR-2, Multiple-Household Residential District
- 501.28 NB, Neighborhood Business District
- 501.29 GB, General Business District
- 501.30 LI, Light Industry District
- 501.31 HI, Heavy Industry District
- 501.32 PD, Planned Development District
- 501.33 MT, Major Thoroughfare District (Overlay District)
- 501.34 Sierra Vista Sub-watershed Water Conservation Overlay District

502 Zoning District Maps

The boundaries of the Zoning Districts established by these Zoning Regulations shall be those shown on the maps entitled "Official Cochise County Zoning District Map" (adopted January 1, 1975, and as thereafter amended).

503 Boundary Determination

Where uncertainty exists with respect to the boundaries of any Zoning District as shown on the Zoning District Maps, the following rules shall apply:

503.01 Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed as following the center lines;

503.02 Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

503.03 Boundaries indicated as approximately following city limits shall be construed as following city limits;

503.04 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;

503.05 Boundaries indicated as approximately following the center lines of streams, rivers, lakes or other bodies of water shall be construed to follow such center lines;

503.06 Boundaries indicated as parallel to or extensions of features indicated in Subsections .01 through .05 above shall be so construed;

503.07 Distances not specifically indicated on the Zoning District Maps shall be determined by the scale of the map; and

503.08 Where physical or cultural features existing on the ground are at variance with those shown on the Zoning District Maps; or any other uncertainty exists as to the boundary of any Zoning District, the Board of Adjustment shall interpret the district boundaries.

504 Official Zoning District Map

504.01 The Official Cochise County Zoning District Map, together with all explanatory matter hereon, is hereby adopted by reference and declared to be an official record and a part of these Zoning Regulations.

504.02 Said map shall be identified as such by the signature of the Chairman of the Board of Supervisors and attested by the Clerk of the Board of Supervisors.

504.03 Whenever amendments or changes are made in Zoning District boundaries, such amendments or changes shall be made promptly on the Official Zoning District Map.

504.04 No changes of any kind shall be made in the Official Zoning District Map except in conformance with the procedures set forth in these Zoning Regulations. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of these Zoning Regulations and punishable as provided in Article 23.

504.05 Regardless of the existence of purported copies of the Official Zoning District Map which may from time to time be made or published, the Official Zoning District Maps shall be that set in the custody of the Clerk of the Board of Supervisors and physically kept by the Clerk in the office of the Cochise County Planning-Community Development Department, which is hereby designated to be a part of the office of the Clerk of the Board of Supervisors for this purpose only. Said maps shall be the final authority as to the current Zoning status of all lands and buildings in the area of jurisdiction.

504.06 In the event that the Official Zoning District Map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and amendments thereto, the Board of Supervisors may, by resolution, adopt a new Official Zoning District Map which shall supersede the prior Official Zoning District Map. The new Official Zoning District Map may correct drafting or other errors or omissions in the prior Official Zoning District Map, but

no such corrections shall have the effect of amending the original Zoning Regulations or any subsequent amendments thereto.

505 Public Way Abandonment

Whenever any streets, alley or other public way is abandoned by the Board of Supervisors, the Zoning District(s) of the parcel(s) to which the right-of-way becomes attached shall apply to all areas included in the vacation, which shall thereafter be subject to all appropriate regulations of the extended district or districts.

506 Lands Previously Zoned

Lands which for any reason come under the authority of Cochise County after these Zoning Regulations become effective, shall be subject to the regulations of that Zoning District designated for such lands previously by Cochise County on the Official Zoning District Map.

507 Lands Not Previously Zoned

Lands under the authority of Cochise County at or after the time these Zoning Regulations become effective which have not been previously zoned by Cochise County, shall be subject to the regulations of an RU-10 (Rural) Zoning District if in a Category D (Rural) plan designation, or RU-2 if within another plan designation until such time that the Zoning of such lands is amended in accordance with these Zoning Regulations.

508 Rural Zoned Districts

For the purposes of application of building codes, qualifying land for Residential Owner—~~b~~Builder Amendment Residential Opt Out shall include all lands in any Growth Area Category and lying within a Zoning District in which the minimum lot size is four-acres and the parcel is a minimum of four-acres. Certain lands within the above Areas, as specified in the ordinance establishing building codes or that specified exemptions for Owner Built Rural Residential structures, as currently adopted or as may hereafter be amended, may be exempted from the Cochise County Building Safety Code by the Board pursuant to Arizona Revised Statutes, section 11-861 et. seq. Property owners whose structures were damaged or destroyed by catastrophic events that the BOS declares an emergency, and who wish to repair or rebuild on properties less than four acres may qualify for the Owner-builder Residential Opt Out.

ARTICLE 6

RU, RURAL ZONING DISTRICTS

601 Purpose

RU (Rural) Zoning Districts are established to achieve the following purposes:

601.01 To preserve the character of areas designated as "Rural" in the Cochise County Comprehensive Plan;

601.02 To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living;

601.03 To preserve the agricultural character of those portions of the county capable of resource production;

601.04 To provide space for people, minimize traffic congestion, and preserve the existing rural environment of unincorporated areas of the county situated outside of existing communities;

601.05 To provide recreational support services that are compatible with rural living;

601.06 To protect the quality of the natural environment as it relates to safeguarding the health, safety and welfare of the people in Cochise County and;

601.07 To allow consideration of some more intense non-residential uses as special uses that are inappropriate in more densely populated urban/suburban areas that may under some circumstances be appropriate in rural areas if designed to be sensitive to the general character of rural districts and natural environment and harmonious and in scale with existing development near the proposed site and in conformance with Section 601.06.

602 Division of RU Zoning Districts

The RU (Rural) Zoning Districts shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

602.01 RU-36

602.02 RU-18

602.03 RU-10

602.04 RU-4

602.05 RU-2

603 Permitted Principal Uses

The following uses shall be permitted in all RU Zoning Districts, provided that they conform to the applicable site development standards for such uses set forth below, and meet any other requirements for such uses found in these Regulations, such as off-site road and drainage improvements. (Also see Section 606, Other Permitted Uses).

Use

603.01 All single- and multiple-household dwellings.

603.02 Mobile home or manufactured home parks subject to the maximum densities in Section 604.01, ~~A~~. The standards set forth in Section 1812 shall not apply.

603.03 Utility installations not otherwise exempted by ~~Article~~Section 200220, other than electrical generation plants, regional sewage treatment plants, solid waste landfills or incinerators.

603.04 Churches or places of religious worship.

603.05 Enclosed veterinary clinics or animal hospitals.

603.06 Riding stables, commercial, on a minimum site of 10-acres.

603.07 Emergency vehicle stations not otherwise exempted by ~~Article~~Section 200220.

603.08 Residential care homes.

603.09 Bed and breakfast homestay subject to ~~Article~~Section 1749.

603.10 Bed and breakfast inn subject to ~~Article 17~~Section 1749.

603.11 Grocery stores (not including gasoline sales) and agriculture-related retail sales where the sales area does not ~~to~~ exceed 2,0500 square feet of total area, including any outdoor storage.

603.12 Day care facilities.

603.13 Wireless communications towers at a maximum height of 30', see site development standards in Article 18~~Section 1813 for applicable site development standards~~.

603.14 Anemometers – ~~(with~~ Temporary use permit not to exceed 3~~-~~years).

603.15 Indoor and outdoor recreational facilities approved as part of a subdivision review process for subdivision residents and guests only~~(in approved subdivisions only)~~.

603.16 Civic, social, fraternal or business associations approved as part of a subdivision review process for subdivision residents and guests only~~(in approved subdivisions only)~~.

603.17 On-site agricultural processing with 200-foot minimum setback, ~~(~~subject to Article 17).

603.18 Custom butchering/meat curing/processing with a 100-foot minimum setback

603.19 Ag-processing with a 300-foot minimum setback.

603.20 Farmers Markets.

603.21 Community Gardens.

604 Site Development Standards

All uses permitted in RU Zoning Districts shall conform to the following minimum site development standards:

604.01 Minimum Site Area and Maximum Density

A. ~~Subject to subsection B herein, the minimum site area and maximum density are as follows:~~

District	Minimum Site Area	Maximum Density*
RU-36	36.0 acres	One dwelling per 36.0 acres
RU-18	18.0 acres	One dwelling per 18.0 acres
RU-10	10.0 acres	One dwelling per 10.0 acres
RU-4	4.0 acres	One dwelling per 4.0 acres
RU-2	2.0 acres	One dwelling per 2.0 acres

~~* See Section 603 for non-residential densities.~~

604.02 Maximum Height

Principal structure	30 feet above grade
Accessory structure	30 feet above grade
Wall or fence	8 feet above grade

~~Principal and accessory structure: 30 feet above grade.
Wall or fence: 8 feet above grade.~~

604.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or ~~the~~ edge of road travelway to the structure/use whichever is closer. ~~The minimum required setback for permitted Principal-uses are: in all RU-districts is 20 feet.~~

District	Setback*
RU-36	20 feet
RU-18	20 feet
RU-10	20 feet
RU-4	20 feet
RU-2	20 feet

* The minimum required setback for Special Uses is 40-feet. The minimum required setback for accessory structures no larger than 120-square feet is 10-feet.

604.04 Maximum Site Coverage – 25-percent.

604.05 Distance Between ~~Buildings~~ Structures

Except as otherwise provided in these Regulations, the minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of structures.

604.06 Screening

In Category A, B and C Growth Areas ~~and Category D areas designated Rural Residential,~~

whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see Article 218Section 1805.02 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning District. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas ~~designated Rural~~, screening is not required.

604.07 Minor Expedited Residential Subdivision Option

Pursuant ~~to the~~ Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

~~Residential Minor Expedited Subdivision Option and Conservation Subdivision Option~~

~~Pursuant to Article 6 of the Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.~~

605 Permitted Accessory Uses

Accessory uses are permitted in RU Zoning Districts provided they are customarily incidental to an established permitted principal use. Accessory structures may exceed the size of the principal structure, unless otherwise stated, provided that all other site development standards are met. . Winery Tasting Rooms are permitted accessory uses to a Farm vineyard, Farm Winery, Small Production Winery or Large Production Winery. For residential uses, the following additional accessory uses and buildings shall be permitted:

605.01 Recreational Vehicles (RV's) are allowed as follows:

- A. No permit is required for sStorage of no more than two RV's on a parcel ~~(no permit is required).~~
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the building permit with a required Temporary Use Permit, see Article 17.
- D. Recreational vehicles accessory to a principal permitted use may not be rented out.

605.02 Rooms in the principal dwelling for roomers, not exceeding two2 such persons per dwelling unit (no permit is required).

605.03 One Accessory Living Quarter (ALQ) subject to the definition in Article 2 and the procedures in Article 17Section 1717.

605.04 Family cemeteries on a minimum lot of one-acre subject to Article 18Section 1821(informational permit required).

605.05 Home occupations.

605.06 Manufactured and mobile homes used as storage units in Zoning Districts with minimum lot sizes of four-acres or larger, ~~so long provided that~~ as the kitchen and bathrooms are removed and electricity is the only utility provided.

605.07 Wind Energy Systems, see ~~(Subject to the~~ site development standards in Section 18~~22~~~~)~~.

605.08 Solar Energy Systems, see ~~(Subject to the~~ site development standards in Article 18).

606 Other Permitted Uses

The following rural uses will be allowed without the establishment of a permitted principal use:

606.01 Fences six-feet in height or less. Setbacks do not apply; no permit required, except if on a corner lot, see exemptions in Article 17.

606.02 Well houses, permanently affixed in a fixed location. Setbacks do not apply; no permit required.

606.03 One out-building, permanently affixed in a fixed location, and corrals/pens.

607 Special Use Authorization

The following land uses require a Special Use Authorization from the Planning Commission in an RU Zoning District, subject to the procedures and review criteria set forth in Article 17 ~~Section 1716.~~ If granted, each land use will also require a Non-residential Use permit.

607.01 Guest Lodging.

607.02 Recreational vehicle parks that are designed to ensure that the park fits into the rural landscape such as clustering RV sites, maintaining perimeter open space and enhancing existing vegetation using drought tolerant vegetation.

607.03 Welfare and charitable services.

607.04 Solid waste transfer stations.

607.05 Zoos and other animal exhibits or sanctuaries.

607.06 Animal hospitals, animal boarding and veterinary clinics, ~~and~~

607.07 ~~a~~Animal husbandry services.

607.078 Indoor and/or outdoor recreational facilities.

607.09 Outdoor Firearms, skeet, archery or trap shooting ranges outdoor.

607.0910 Fairgrounds and/or outdoor amusement parks.

607.101 Gasoline/service stations.

607.142 Convenience stores.

607.123 Restaurants, bars, taverns and nightclubs.

- | 607.134 Contract construction services.
- | 607.145 Airports, airstrips, helipads and lying fieldsheliports.
- | ~~, including private landing areas.~~
- | 607.156 Manufacturing, wholesaling, warehousing, distribution, and/or~~or~~ storage of agriculture-related products.
- | 607.167 Manufacturing, wholesaling, warehousing, distribution and or storage of products, activity area not to exceed 5,000-square feet.
- | 607.178 Commercial feed lots, stockyards, and or livestock auction barns, on a site not less than 20-acres.
- | 607.189 Wholesaling, warehousing, distribution and/or storage of propane.
- | 607.1920 Motion picture production sites/studios.
- | 607.201 Custom butchering/meat curing/processing with less than a 100-foot minimum setback.
- | 607.212 Transient camps, migrant labor camps.
- | 607.223 Retail sales, rentals, or accessory storage of materials, merchandise, supplies and or equipment.
- | ~~607.234 Off-site advertising signs.~~
- | 607.24 Civic, social, fraternal and/or business associations.
- | 607.25 Educational services.
- | 607.26 Personal and professional services.
- | 607.27 Hospitals.
- | 607.28 Health clinics.
- | 607.29 Repair services.
- | 607.30 Recycling centers.
- | 607.31 Cultural, historic and or nature exhibits.
- | 607.32 Residential care institutions.
- | 607.33 Offender rehabilitation facilities.
- | 607.34 Group quarters.
- | 607.35 Funeral and or crematory services.
- | 607.36 Golf courses.
- | 607.37 Agricultural processing services with less than 300-foot minimum setback.

607.38 Wireless communications towers exceeding 30' in height,; see site development standards in Article 18.
~~Article Section 1813 for applicable site development standards.~~

607.39 Cemeteries.

607.40 Slaughterhouses/meat packing plants.

607.41 Day care establishments.

607.42 Commercial plant nurseries.

607.43 Bed and breakfast establishment.

607.44 Grocery Stores~~Lighted Outdoor Recreation Facilities.~~

607.45 Research and Testing Laboratories.

607.46 Impound Storage Yards.

607.47 Wind Energy Power Plants.

607.48 Mini-warehouses.

607.49 Riding stables, commercial, on a site less than 10~~2~~ acres.

607.50 Solar Energy ~~Systems~~ Power Plants ~~(in Category D areas only).~~ ~~(Scribner's error, see Exhibit "A" to Ordinance 09-04)~~

607.51 Medical Marijuana Cultivation Facility in (RU-4 and greater only), see site development standards in Article 18.
see Article 18 for applicable site development standards.

607.52 Medical Marijuana Dispensary in (RU-4 and greater only), see site development standards in Article 18.
see Article 18 Section 1825 for applicable site development standards).

607.53 Medical Marijuana Dispensary Cultivation Facility in (RU-4 and greater only), see site development standards in Article 18.
see Article 18 Section 1825 for applicable site development standards).

607.54 Medical Marijuana Infusion Facility in (RU-4 and greater only), see site development standards in Article 18.
see Article 18 Section 1825 for applicable site development standards).

607.55 On-Site agricultural processing with less than a 200-foot minimum setback.

607.56 Commercial Kennels.

ARTICLE 7

R, RESIDENTIAL ZONING DISTRICTS

701 Purpose

R (Residential) Zoning Districts are established to achieve the following purposes:

701.01 To provide an area for family living at a variety of low to medium densities; and

701.02 To provide an area where single-household dwellings, rehabilitated mobile homes and manufactured homes can co-exist; and

~~701.03 To provide a transition between higher residential densities found in urbanized areas and very low densities found in the County's rural, unincorporated areas.~~

702 Division of R Zoning Districts

The R (Residential) Zoning District shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

702.01 R-36

702.02 R-18

702.03 R-9

Existing TR (Transitional-Residential) Districts shall be subject to the requirements of the similar Residential Zoning District.

703 Permitted Principal Uses

The following uses shall be permitted in all R Zoning Districts, provided that they conform to the applicable site development standards for such uses set forth below, and meet any other requirements for such uses found in these Regulations, such as off-site road and drainage improvements.

Use

703.01 All single- and multiple-household dwellings.

703.02 Mobile home, Manufactured home, or recreational vehicle parks, subject to the maximum densities in Article 7, Section 704.01. The standards set forth in Article 18 Section 1812 shall apply.

703.03 Utility installations not otherwise exempted by Article 20 Section 2002, other than electric generation plants, regional sewage treatment plants, solid waste landfills or incinerators.

703.04 Churches or places of religious worship.

703.05 Residential care homes.

703.06 Emergency vehicle stations not otherwise exempted by Article 20 Section 2002.

703.07 Bed and breakfast homestay home stay subject to Article 17 Section 1719.

703.08 Bed and breakfast inn subject to Article 17~~Section 17~~19.

703.09 Indoor and/or unlighted outdoor recreational facilities approved as part of a subdivision review process for subdivision residents and guests only.

703.10 Civic, social, fraternal or business associations approved as part of a subdivision review process for subdivision residents and guests only.

703.11 Unlighted riding stables, commercial, on a minimum site of 10~~2~~ acres approved as part of a subdivision review process for subdivision residents and guests only.

703.12 Community Gardens

704 Site Development Standards

All uses permitted in R Zoning Districts shall conform to the following minimum site development standards:

704.01 Minimum Site Area and Maximum Density

The minimum site area and maximum density are as follows:

District	Minimum Site Area	Maximum Density
R-36	36,000 square feet	One dwelling unit per 36,000 square feet
R-18	18,000 square feet	One dwelling unit per 18,000 square feet
R-9	9,000 square feet	One dwelling unit per 9,000 square feet

704.02 Maximum Height

Principal structure	30 2 feet above grade
Accessory structure	20 2 feet above grade
Wall or fence	8 2 feet above grade

704.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
R-36	20 2 feet
R-18	20 2 feet
R-9	10 2 feet

* The minimum setbacks for Special Uses shall be double that of the Zoning District in which it is located. The minimum required ~~S~~setbacks for accessory structures no larger than 120~~2~~ square feet or less are half that of the Zoning District in which it is located.

704.04 Maximum Site Coverage ~~=~~ 65~~2~~ percent.

704.05 Distance Between Structures

Except as provided in these Regulations, a minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

704.06 Screening

In Category A, B or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see Article 2 Section 1805.02 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning District. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas, ~~whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a 6 foot high solid screen; otherwise screening is not required.~~

704.07 Residential ~~Minor~~ Expedited Subdivision Option and Conservation Subdivision Option

Pursuant to ~~Article 6 of~~ the Cochise County Subdivision Regulations, Minor ~~Expedited~~ Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

705 Permitted Accessory Uses

Accessory uses are permitted in R Zoning Districts provided they are customarily incidental to an established permitted principal use except accessory structures may exceed the size of the principal structure on parcels that are four (4) acres or larger, unless otherwise stated, provided that all other site development standards are met. For residential uses, the following additional accessory uses and buildings shall be permitted:

705.01 Recreational Vehicles (RV's) are allowed as follows:

- A. No permit is required for sStorage of no more than two RV's on a parcel ~~(no permit is required).~~
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the permit with a required Temporary Use Permit, see Article 17.
- D. Recreational vehicles accessory to a principal permitted use may not be rented out.

705.02 Rooms in the principal dwelling for roomers, not exceeding ~~two~~2 such persons per dwelling unit, ~~(no permit is required).~~

705.03 One accessory living quarter in R-36 Zoning Districts, subject to the definition in Article 2 and procedures in Article 17~~Section 1717~~.

705.04 Family cemeteries on a minimum parcel of one-acre with~~(~~ informational permit is required~~)~~.

705.05 Home occupations.

705.06 Wind Energy Systems, see site development standards in Article 18.
~~(Subject to the site development standards in Section 182~~

705.07 Solar Energy Systems, see site development standards in Article 18.
~~(Subject to the site development standards in Article 18)~~.

706 Other Permitted Uses

The following uses will be allowed without the establishment of a permitted principal use on parcels four ~~(4)~~ acres or larger:

706.01 Well houses, permanently affixed in a fixed location. ~~(s~~ Setbacks do not apply; no permit required~~)~~.

706.02 One out-building, permanently affixed in a fixed location, and corrals/pens.

706.03 Fences six-feet in height or less. S~~(setbacks do not apply; no permit required, except if on a corner lot, see exemption in Article 17)~~.

707 Special Use Authorizations

The following land uses require a special use authorization from the Planning Commission in the R Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit. Any of the following uses may be permitted as a Special Use in a R Zoning District subject to the procedures, conditions and review criteria set forth in Article~~Section 1716~~ of these Regulations:

707.01 Welfare and charitable services.

707.02 Day care facilities and establishments.

707.03 Educational services.

707.04 Personal and professional services.

707.05 Health clinics.

707.06 Residential care institutions.

707.07 Cemeteries.

707.08 Bed and breakfast establishment.

707.09 Grocery stores.

707.10 Cultural, historic and nature exhibits.

707.11 _Civic, social, fraternal and/or business associations.

707.12 _Golf courses.

707.13 _Indoor and/or outdoor recreational facilities.

707.14 _Wireless communication ~~facilities~~towers; see ~~Section~~Article 18-1813 ~~for applicable site development standards.~~

707.15 _Lighted Outdoor Recreation Facilities.

707.16 _Animal hospitals and/or, veterinary clinics, ~~and animal husbandry services.~~

707.17 Animal husbandry service.

707.178 Contract construction services in (R-36 only).

707.189 ~~Manufacturing~~9 Manufacturing, wholesaling, warehousing, distribution, and/or storage of agriculture-related products in (R-36 only).

707.1920 _Repair services, light, not to exceed 2,500_-square feet of floor area.

707.201 Group quarters.

707.212 _Commercial plant nurseries.

707.223 Mini-warehouses.

ARTICLE 8

SM, SINGLE-HOUSEHOLD/MANUFACTURED HOME RESIDENTIAL ZONING DISTRICT-S

801 Purpose

SM (Single-Household/Manufactured Home Residential) Zoning District-s are established to achieve the following purposes:

801.01 To provide an area where conventional single household dwellings, ~~and~~ manufactured homes, ~~and~~ factory built buildings can co-exist;

801.02 To establish an intermediary district between R (Residential) and SR (Single-Household Residential); and

801.03 To provide an alternative for those residents in existing RU and TR Districts who wish to specify housing options and protections for residential property.

802 Division of SM Zoning Districts

The SM (Single-Household/Manufactured Home Residential) Zoning District shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

802.01 SM-36 Acres

802.02 SM-18 Acres

802.03 SM-10 Acres

802.04 SM-174

802.05 SM-87

802.06 SM-36

802.07 SM-18

802.08 SM-9

803 Permitted Principal Uses

The following uses shall be permitted in all SM Zoning Districts, provided that they conform to the applicable site development standards for such uses set forth below, and meet any other requirements for such uses found in these Regulations, such as off-site road and drainage improvements.

Use

803.01 All single- and multiple-household dwellings, but excluding rehabilitated mobile homes.

803.02 Manufactured home parks, subject to the maximum densities set forth in Article 8 Section 804.01. The standards set forth in Section Article 1842 shall apply.

803.03 Utility installations not otherwise exempted by Article 20~~Section 2002~~, other than electric generation plants, solid waste landfills or incinerators and/or regional sewage treatment plans.

803.04 Churches or places of religious worship.

803.05 Residential care homes.

803.06 Emergency vehicle stations not otherwise exempted by ~~Section~~Article 2002.

803.07 Bed and breakfast homestay subject to ~~Article~~Section 1719.

803.08 Bed and breakfast inn subject to ~~Section~~Article 1719.

803.09 Indoor and/or outdoor recreational facilities approved as part of a subdivision review process for unlighted subdivision residents and guests only.

803.10 Civic, social, fraternal or business associations approved as part of a subdivision review process for subdivision residents and guests only.

803.11 Unlighted riding stables, commercial, on a minimum site of 10-~~acres~~ approved as part of a subdivision review process for subdivision residents and guests only.

803.12 Community Gardens

804 Site Development Standards

All uses permitted in SM Zoning Districts shall conform to the following minimum site development standards:

804.01 Minimum Site Area and Maximum Density

District	Minimum Site Area	Maximum Density
SM-36 Acres	36- acres	One dwelling unit per 36- acres
SM-18 Acres	18- acres	One dwelling unit per 18- acres
SM-10 Acres	10- acres	One dwelling unit per 10- acres
SM-174	174,240- square feet (4- acres)	One dwelling unit per 174,240- square feet (4- acres)
SM-87	87,120- square feet (2- acres)	One dwelling unit per 87,120- square feet (2- acres)
SM-36	36,000- square feet	One dwelling unit per 36,000- square feet
SM-18	18,000- square feet	One dwelling unit per 18,000- square feet
SM-9	9,000- square feet	One dwelling unit per 9,000- square feet

804.02 Maximum Height

Principal structure	30- feet above grade
Accessory structure	20- feet above grade
Wall or fence	8- feet above grade

804.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use, whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
SM-36 Acres, SM-18 Acres, SM-10 Acres	20.0-feet
SM-174, SM-87, SM-36, SM-18	20.0-feet
SM-9	10.0-feet

* The minimum setback for Special Uses shall be double that of the Zoning District in which it is located. The minimum required setback for accessory structures no larger than 120-square feet is half that of the Zoning District in which it is located.

804.04 Maximum Site Coverage

District	Maximum Site Coverage
SM-36 Acres, SM-18 Acres, SM-10 Acres	25%
SM-174, SM-87	25%
SM-36, SM-18, SM-9	65%

804.05 Distance Between Buildings Structures

Except as otherwise noted in these Regulations, a minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

804.06 Screening

In Category A, B and C Growth Areas, whenever a non-residential use abuts a residential Zoning District, or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see ~~Section~~ Article 21805.02 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning District. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas, ~~whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a 6 foot high solid screen; otherwise~~ screening is not required.

804.07 ~~Cluster~~ Residential Minor Expedited Subdivision Option and Conservation Subdivision Option

Pursuant to ~~Article 6 of~~ the Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

805 Permitted Accessory Uses

Accessory uses are permitted in SM Zoning Districts provided they are customarily incidental to an established permitted principal use. For residential uses, the following additional accessory uses and buildings shall be permitted:

805.01 Recreational Vehicles (RV's) are allowed as follows:

- A. No permit is required for sStorage of no more than two RV's on a parcel ~~(no permit is required).~~

B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.

C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the building permit with a required Temporary Use Permit, see Article 17.

D. Recreational vehicles accessory to a principal permitted use may not be rented out.

805.02 Rooms in the principal dwelling for roomers, not exceeding 2- such persons per dwelling unit (no permit is required).

805.03 One accessory living quarter in all of the SM districts EXCEPT the SM-18 and SM-9 Zoning District-s, subject to the definition in Article 2 and procedures in Article 1717.

805.04 Family cemeteries on a minimum lot of one- acre (informational permit is required).

805.05 Home occupations.

805.06 Wind Energy Systems, see site development standards in Article 18.
~~(Subject to the site development standards in Section Article 1822).~~

805.07 Solar Energy Systems, see site development standards in Article 18.
~~(Subject to the site development standards in Article 18).~~

806 Special Uses Authorization

The following land uses require a Special Use Authorization from the Planning Commission in the SM Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit. Any of the following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in ArticleSection 1716:

806.01 Welfare and/or charitable services.

806.02 Day care facilities and/or establishments.

806.03 Cultural, historic and/or nature exhibits.

806.04 Personal and professional services.

806.05 Health clinics.

806.06 Golf courses.

806.07 Indoor and/or outdoor recreational facilities.

806.08 Educational services.

806.09 Residential care institutions.

806.10 Civic, social, fraternal and/or business associations.

|

806.11 Cemeteries.

806.12 Bed and breakfast establishment.

806.13 Grocery stores.

806.14 Lighted Outdoor Recreation Facilities.

806.15 Animal Husbandry.

| 806.16 ~~Farmers Markets.~~

ARTICLE 9

SR, SINGLE-HOUSEHOLD RESIDENTIAL ZONING DISTRICTS

901 Purpose

SR (Single-Household Residential) Zoning Districts are established to achieve the following purposes:

- 901.01 To stabilize and protect single-household residential development;
- 901.02 To provide areas for family living at a broad range of densities; and
- 901.03 To provide for residential neighborhoods.

902 Division of SR Zoning Districts

The SR (Single-Household Residential) Zoning District shall be further divided into the following density districts, which are so designated on the Official Zoning District Map and subject to the regulations herein:

- 902.01 SR-36 Acres
- 902.02 SR-18 Acres
- 902.03 SR-10 Acres
- 902.04 SR-4 acres
- 902.05 SR-2 acres
- 902.06 SR-43 (1-acre)
- 902.07 SR-22
- 902.08 SR-12
- 902.09 SR-8

Existing PR-40 shall be subject to the requirements of the SR-8 Zoning District. There are nine parcels in the County with this Zoning: Parcels 114-23-030 – 114-23-039.

903 Permitted Principal Uses

The following uses shall be permitted in all SR Zoning Districts, provided that they conform to the applicable site development standards set forth below and meet any other requirements for such uses found in these Regulations, such as off-site road and drainage improvements.

Use

- 903.01 All single-household dwellings (site built and ~~residential~~ factory built buildings), excluding rehabilitated mobile homes and manufactured homes.
- 903.02 Utility installations not otherwise exempted by ~~Section 2002~~ Article 20, - other than electric generation plants, regional sewage treatment plants, solid waste landfills or incinerators.
- 903.03 Churches or places of religious worship.
- 903.04 Residential care homes.

903.05 Emergency vehicle stations not otherwise exempted by ArticleSection 2002.

903.06 Bed and breakfast homestay subject to Section-Article 1749.

903.07 Bed and breakfast inn subject to ArticleSection 1749.

903.08 Indoor and/or unlighted outdoor recreational facilities (approved as part of a subdivision review process for subdivision residents and guests only).

903.09 Civic, social, fraternal or business associations (approved as part of a subdivision review process for subdivision residents and guests only).

903.10 Unlighted riding stables, commercial, on a minimum site of 10-acres (approved as part of a subdivision review process for subdivision residents and guests only).

903.11 Community Gardens.

904 Site Development Standards

All uses permitted in SR Zoning Ddistricts shall conform to the following minimum site development standards:

904.01 Minimum Site Area and Maximum Density

The minimum site area and maximum density are as follows:

District	Minimum Site Area	Maximum Density
SR-36 Acres	36-acres	One dwelling unit per 36-acres
SR-18 Acres	18-acres	One dwelling unit per 18-acres
SR-10 Acres	10-acres	One dwelling unit per 10-acres
SR-4 Acres	4-acres	One dwelling unit per 4-acres
SR-2 Acres	2-acres	One dwelling unit per 2-acres
SR-43	43,560-square feet	One dwelling unit per 43,560-square feet
SR-22	22,000-square feet	One dwelling unit per 22,000-square feet
SR-12	12,000-square feet	One dwelling unit per 12,000-square feet
SR-8	8,000-square feet	One dwelling unit per 8,000-square feet

904.02 Maximum Height

Principal structure	30-feet above grade
Accessory structure	20-feet above grade
Wall or fence	8-feet above grade

904.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use whichever is closer. The minimum required setbacks for permitted uses are:

District	Setback*
SR-36 Acres, SR- 18 Acres, SR-10 Acres	20-0-feet
SR-4 Acres, SR-2 Acres, SR-43, SR-	20-0-feet

22	
SR-12, SR-8	10-0 feet

*Note: The minimum Ssetbacks for Special Uses shall be double that of the Zoning District in which it is located. *The minimum required Ssetbacks for accessory structures no larger than 120- square feet or less are half that of the Zoning District in which it is located.

904.04 Maximum Site Coverage

District	Maximum Site Coverage
SR-36 Acres, SR-18 Acres, SR-10 Acres	25%
SR-4 Acres, SR-2 Acres	25%
SR-43, SR-22, SR-12, SR-8	65%

904.05 Distance Between Structures

Except as otherwise provided in these Regulations, a minimum distance between principal structures shall be 15- feet; 10- feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

904.06 Screening

In Category A, B or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated there from by an alley, the developed area of the non-residential site shall be screened with a 6- foot high solid screen (see Section A article 21805.02 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning Districts. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas, ~~whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a 6 foot high solid screen; otherwise~~ screening is not required.

904.07 ~~Cluster~~ Residential ~~Minor~~ Minor-Expedited and/or Conservation Subdivision Options

Pursuant to ~~Article 6 of~~ the Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

905 Permitted Accessory Uses

Accessory uses are permitted in SR Zoning Districts provided they are customarily incidental to an established permitted principal use. For residential uses, the following additional accessory uses and buildings shall be permitted:

905.01 Recreational vehicles (RV's) are allowed as follows:

- A. No permit is required for sStorage of no more than two RV's on a ~~parcel (no permit is required).~~
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15- consecutive days or less do not require a permit.

C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the building permit with a required Temporary Use Permit, see Article ~~48~~17.

D. Recreational vehicles accessory to a principal permitted use may not be rented out.

905.02 Rooms in the principal dwelling for roomers, not exceeding two ~~such~~ persons per dwelling unit (no permit is required).

905.03 One accessory living quarter in SR-36 Acres, SR-18 Acres, SR-10 Acres, SR-4 Acres, SR-2 Acres, and SR-43 Zoning Districts subject to the definition in Article 2 and the procedures in ~~Section~~Article 1717.

905.04 Family cemeteries on a minimum lot of one ~~acre~~ (informational permit is required).

905.05 Home occupations.

905.06 Wind Energy Systems, ~~(Subject to the site~~see site development standards in ~~Section~~Article -1822).

905.07 Solar Energy Systems, ~~(Subject to the site~~see site development standards in Article 18).

906 Special Use Authorizations

The following land uses require a Special Use Authorization from the Planning Commission in the SR Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit.

The following use(s) may be permitted as a Special Use subject to the procedures and review criteria set forth in SectionArticle 1716:

906.01 Welfare and charitable services.

906.02 Day care facilities and establishments.

906.03 Educational services.

906.04 Personal and professional services.

906.05 Health clinics.

906.06 Residential care institutions.

906.07 Golf courses.

906.08 Indoor and/or outdoor recreational facilities.

906.09 Cultural, historic and/or nature exhibits.

906.10 Bed and breakfast ~~lodging~~establishments.

906.11 Cemeteries.

906.12 Civic, social, fraternal and/or business associations.

|

906.13 Grocery stores.

906.14 Lighted Outdoor Recreation Facilities.

906.15 Animal Husbandry.

| 906.16 Commercial Plant Nurseries.

906.17 Farmers Markets.

ARTICLE 10

MR, MULTIPLE-HOUSEHOLD RESIDENTIAL ZONING DISTRICTS

1001 Purpose

MR (Multiple-Household Residential) Zoning Districts are established to achieve the following purposes:

1001.01 To provide high-density residential development in locations with adequate infrastructure;

1001.02 To allow only those additional uses that are complementary to higher density residential uses; and

1001.03 To stabilize and protect residential development.

1002 Division of MR Zoning Districts

The MR (Multiple-Household Residential) Zoning District shall be further divided into the following density districts, which are so designated on the Official Zoning District Map, and subject to the regulations herein:

1002.01 MR-1

1002.02 MR-2

Existing MR-A, MR-B and MR-C Zoning Districts shall be subject to the requirements of the MR-1 Zoning District. Existing MH-72, MH-54 and MH-36 shall be subject to the requirements of the MR-2 Zoning District. See Article 10 for minimum site areas and maximum density.

1003 Permitted Principal Uses

The following uses shall be permitted in MR Zoning Districts, provided that they conform to the applicable site development standards set forth below and meet any other requirements for such uses found in these Regulations, such as off-site road and drainage improvements.

Use

1003.01 MR-1 Single - and multiple-household dwellings excluding rehabilitated mobile homes, ~~and~~ manufactured homes and recreational vehicles.

MR-2 Single - and multiple-household dwellings including rehabilitated mobile homes, ~~and~~ manufactured homes, mobile home parks, and manufactured home parks and recreational vehicle parks; subject to the maximum densities of Article 10. The standards set forth in ~~Section Article 1812~~ shall apply to parks.

1003.02 Group quarters.

~~1003.03 Day care facilities and establishments.~~

1003.043 Educational services.

1003.054 Utility installations not otherwise exempted by Article 20, other than electric generation plants, regional sewage treatment plants, solid waste landfills or incinerators.

1003.065 Churches or places of religious worship.

1003.076 Residential care homes.

1003.087 Emergency vehicle stations not otherwise exempted by Article 20.

1003.098 Bed and breakfast home stay subject to Article 17.

1003.0109 Bed and breakfast inn subject to Article 17.

[Scribner's error, see Section 1006.14]

1003.10 Community Gardens.

1004 Site Development Standards

All uses permitted in MR districts, except as otherwise noted, shall conform to the following minimum site development standards:

1004.01 Minimum Site Area and Maximum Density

District	Minimum Site Area	Maximum Density
MR-1	3,600-square feet	One dwelling unit per 3,600-square feet
MR-2	3,600-square feet	One dwelling unit per 3,600-square feet
Previously	Minimum Site Area	Maximum Density
MH-36	3,600-square feet	One dwelling unit per 3,600-square feet
MH-54	5,400-square feet	One dwelling unit per 5,400-square feet
MH-72	7,200-square feet	One dwelling unit per 7,200-square feet

1004.02 Maximum Height

Principal structure	40-feet above grade
Accessory structure	20-feet above grade
Wall or fence	8-feet above grade

1004.03 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use whichever is closer, as follows:

A. For those MR Zoning Districts which abut MR, NB, GB, LI, HI or PD-2 Zoning Districts, the setback* shall be 57.5-feet. Zero lot lines between townhouses or condominiums within a common development shall be permitted in the MR Zoning District.

B. For those MR Zoning Districts which abut RU, R, SM, or SR or PD-1 Zoning Districts, the setback* shall be 20-feet. Zero lot lines between townhouses or condominiums within a common development shall be permitted in the MR Zoning District.

* The minimum setbacks for Special Uses shall be double that of the Zoning District in which it is located.

1004.04 Maximum Site Coverage – 70-percent.

1004.05 Distance Between Structures

Except as otherwise provided in these Regulations, a minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

1004.06 Screening

In Category A, B or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see ~~Section~~ Article 2 05.02 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning District. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. Screening is not required in Category D (Rural) Areas.

1004.07 ~~Cluster~~ Residential Minor Expedited Subdivision Option

Pursuant to ~~Article 6 of~~ the Cochise County Subdivision Regulations, Minor Expedited Residential Subdivision and Residential Conservation Subdivision options providing a wider latitude of design, more economic use of land and density bonuses are available for development of residential subdivisions.

1005 Permitted Accessory Uses

Accessory uses are permitted in the MR Zoning District provided they are customarily incidental to an established permitted principal use. For residential uses, the following additional accessory uses and structures shall be permitted:

1005.01 Recreational Vehicles (RV's) are allowed as follows:

- A. No permit is required for sStorage of no more than two RV's on a parcel ~~(no permit is required).~~
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be allowed as part of the required permit, and shall be limited to the length of the building with a required Temporary Use Permit, see Article ~~48~~17.
- D. Recreational vehicles accessory to a principal permitted use may not be rented out.

1005.02 Rooms in the principal dwelling for roomers, not exceeding 2-such persons per dwelling unit (no permit is required).

1005.03 Family cemeteries on a minimum of one-acre (informational permit is required).

1005.04 Home occupations.

1005.05 Indoor and/or outdoor recreational facilities accessory to the principal use.

1005.06 Wind Energy Systems, see ~~(Subject to the site development standards in SectionArticle 1822).~~

1005.07 Solar Energy Systems, see ~~(Subject to the site development standards in Article 18.~~

1006 Special Uses Authorization

~~The following land uses require a Special Use Authorization from the Planning Commission in the MR Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit. The following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in SectionArticle 1717:-~~

1006.01 Welfare and charitable services.

1006.02 Regional sewage treatment plants.

1006.03 Hospitals.

1006.04 Bed and breakfast establishment.

1006.05 Cultural, historic and/or nature exhibits.

1006.06 Indoor and/or outdoor recreational facilities.

1006.07 Civic, social, fraternal and/or business associations.

1006.08 Golf courses.

1006.09 Cemeteries.

1006.10 Grocery stores.

1006.11 Lighted Outdoor Recreation Facilities.

1006.12 Personal and professional services.

1006.13 Residential care institutions.

1006.14 Health clinics.

1006.15 Day care facilities and establishments.

~~1006.14~~1006.16 Farmers Markets.

ARTICLE 11

NB, NEIGHBORHOOD BUSINESS ZONING DISTRICT

1101 Purpose

The NB (Neighborhood Business) district is established to achieve the following purposes:

1101.01 To provide areas for small shops, businesses and service establishments in convenient locations to meet the daily needs of households in surrounding residential areas;

1101.02 To preserve the essential neighborhood character of the district by preventing encroachment by more intensive commercial uses having market areas extending beyond nearby neighborhoods;

1101.03 To maintain compatibility between neighborhood-oriented commercial areas and adjacent residential areas; and

1101.04 To avoid any undue concentration of vehicular traffic on local districts.

1102 Permitted Principal Uses

The following uses shall be permitted in NB Zoning Districts provided they conform to the applicable site development standards set forth below, and meet any other requirements for such uses found in these Regulations such as off-site road and drainage improvements.

Use

1102.01 All single and multiple-household dwellings, excluding rehabilitated mobile homes.

1102.02 Group quarters.

1102.03 Day care facilities.

1102.04 Day care establishments, not to exceed 2,500 square feet of floor area.

1102.05 Educational services.

1102.06 All utility installations not otherwise exempted by Section 2002, other than electric generation plants, regional sewage treatment plants and solid waste landfills or incinerators.

1102.07 Churches or places of religious worship.

| 1102.08 Cultural, historic and/or nature exhibits.

| 1102.09 Civic, social, fraternal, and/or business associations.

1102.10 Personal and Professional services, not to exceed 2,500 square feet of floor area.

1102.11 Indoor and outdoor recreational facilities, not to exceed 2,500 square feet of floor or recreation area.

1102.12 Retail sales of merchandise, not to exceed 2,500 square feet of floor area. May include on-site manufacturing incidental and accessory to the sale of goods such as but not limited to baked goods.

1102.13 Restaurants, bars, taverns and/or nightclubs, not to exceed 2,500 square feet of floor area.

1102.14 Residential care homes.

1102.15 Emergency vehicle stations not otherwise exempted by Section Article 2002.

1102.16 Bed and breakfast homestay subject to Section Article 1749.

1102.17 Bed and breakfast inn subject to Section Article 1749.

1102.18 Health clinics.

1102.19 Repair Services, light, enclosed, not to exceed 2,500 square feet of floor area.

1102.20 Farmers Markets.

1102.21 Community Gardens.

1103 Site Development Standards

All uses permitted in an NB Zoning District shall conform to the following minimum site development standards in addition to the provisions of Article 18:

1103.01 Minimum Site Area and Maximum Density

Minimum Site Area	Maximum Density
3,600 square feet	One dwelling unit or principal structure per 3,600 square feet

1103.02 Maximum Height

Principal structure	30 feet above grade
Accessory structure (residential)	20 feet above grade
Fence or wall	8 feet above grade

1103.03 Screening

~~In Category A, B, or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see Section 1805.02 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning District. The Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a 6-foot high solid screen; otherwise screening is not required.~~

1103.043 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the

edge of road travelway to the structure/use whichever is closer. The minimum setback for permitted principal uses shall be 20 feet. The minimum setback for Special Uses shall be 40 feet.

1103.064 Maximum Site Coverage - 65 percent

1103.075 Distance Between Buildings Structures

Except as otherwise provided in these Regulations, a minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

1103.06 Screening

In Category A, B, or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated there from by an alley, the developed area of the non-residential site shall be screened with a six-foot high solid screen (see Article 182 for definition). Non-residential outdoor storage areas shall be screened regardless of abutting Zoning District. The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas screening is not required.

1104 Permitted Accessory Uses

Accessory uses are permitted in the NB Zoning District provided they are customarily incidental to an established permitted principal use. For residential uses, the following additional accessory uses and structures shall be permitted:

1104.01 Recreational Vehicles (RV's) are allowed as follows:

- A. No permit is required for sStorage of no more than two RV's on a parcel (no permit is required).
- B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.
- C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the building permit with a required Temporary Use Permit, see Article 17.
- D. Recreational vehicles accessory to a principal permitted use may not be rented out.

1104.02 Rooms in the principal dwelling for roomers, not exceeding ~~two~~2 such persons per dwelling unit (no permit is required).

1104.03 Family cemeteries on a minimum lot of ~~at least one~~ acre, (informational permit is required).

1104.04 Home occupations.

1104.05 Wind Energy Systems, ~~see (Subject to the site development standards in SectionArticle 1822).~~

1104.06 Solar Energy Systems, ~~see (Subject to the site development standards in Article 18).~~

1105 Other Permitted Uses

Wire fences or unslatted chainlink fences six-feet or less in height are allowed without a principal permitted use (setbacks do no apply, no permit required).

1106 Special Uses Authorization

~~The following land uses require a Special Use Authorization from the Planning Commission in the NB Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit. The following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in Section Article 1716:~~

1106.01 Welfare and charitable services.

1106.02 Convenience stores.

1106.03 Sewage treatment plants.

1106.04 Residential care institutions.

1106.05 Hospitals.

1106.06 Funeral and/or crematory services.

1106.07 Retail sales exceeding 2,500-square feet of floor area.

1106.08 Restaurants, bars, taverns and/or nightclubs.

1106.09 Indoor and/or outdoor recreational facilities.

1106.10 Cemeteries.

1106.11 Golf courses.

1106.12 Day care establishments.

1106.13 Repair services, automotive (enclosed), not to exceed 2,500-square feet of floor area.

1106.14 Wireless communication towers, ~~see (Subject to the site development standards in Article 18).~~

1106.15 Bed and breakfast establishment.

1106.16 Lighted Outdoor Recreation Facilities.

1106.17 Animal husbandry.

1106.18 Mini-warehouses.

1106.19 Commercial Plant Nurseries.

ARTICLE 12

GB, GENERAL BUSINESS ZONING DISTRICT

1201 Purpose

The GB (General Business) Zoning District is established:

1201.01 To provide appropriate areas for office uses, retail stores and service establishments in which the market area extends beyond the nearby neighborhoods;

1201.02 To provide wholesale or distribution activities in locations with adequate access to major streets and highways;

1201.03 To encourage concentrated development of commercial activities for the convenience of the public;

1201.04 To provide adequate space to meet the needs of commercial development, with adequate off-street parking and minimal traffic congestion; and

1201.05 To protect commercial uses from objectionable influences of industrial uses as well as incompatible residential development.

1202 Permitted Principal Uses

The following uses shall be permitted in the GB Zoning District provided they conform to the applicable site development standards set forth below, and meet any other requirements for such uses found in these Regulations such as off-site road and drainage improvements.

Use

1202.01 Group quarters.

1202.02 Guest lodging.

1202.03 ~~Mobile home, manufactured home and Recreational vehicle parks, see , and manufactured home parks. The~~ standards set forth in ~~Article~~Section 1812 shall apply.

1202.04 ~~Bed and breakfast~~ ~~Hlodging (Homestay, Inn, and Establishment, see) subject to Section Article 1749.~~

1202.05 Day care facilities and establishments.

1202.06 Educational services.

1202.07 Utility installations not otherwise exempted by ~~Section~~Article 2002, other than electric generation plants, regional sewage treatment plants and solid waste landfills or incinerators.

1202.08 Churches or places of religious worship.

1202.09 Welfare and charitable services.

1202.10 Cultural, historic and/or nature exhibits.

- | 1202.11 Civic, social, fraternal and/or business associations.
- | 1202.12 Hospitals ~~and including ambulatory services~~.
- | 1202.13 Personal and professional services.
- | 1202.14 Banks and banking services.
- | 1202.15 Research and testing laboratories, enclosed.
- | 1202.16 Veterinary clinics ~~and/or~~ animal hospitals.
- | 1202.17 Funeral and/or crematory services.
- | 1202.18 Cemeteries.
- | 1202.19 Indoor and/or outdoor recreational facilities.
- | 1202.20 Riding stables, commercial, on a minimum site of 10-~~acres~~.
- | 1202.21 Gasoline/service stations.
- | 1202.22 Convenience stores ~~and grocery stores~~.
- | 1202.23 ~~Grocery stores~~.
- | 1202.234 ~~Restaurants~~, bars, taverns and/or nightclubs.
- | 1202.245 ~~Shopping~~ centers.
- | 1202.256 Retail sales or rentals. May include on-site manufacturing incidental and accessory to the sale of goods such as but not limited to baked goods.
- | 1202.267 ~~Repair~~ services (enclosed building), ~~automotive and~~ small engine. Vehicles awaiting repair, need not be enclosed or screened.
- | 1202.278 ~~Repair~~ services, light.
- | 1202.289 ~~Contract~~ construction services.
- | 1202.2930 Wireless communications towers at a maximum height of 40¹-~~feet~~; see ~~SectionArticle~~ 1843 for applicable site development standards.
- | 1202.301 ~~Parking~~ lots and/or garages, commercial.
- | 1202.312 ~~Bus~~ and/or rail terminals and accessory maintenance yards and garages.
- | 1202.323 ~~Mini~~-warehouses.
- | 1202.334 ~~Printing~~ and/or publishing businesses.
- | 1202.345 ~~Meat~~-cutting and butchering shops.
- | 1202.356 ~~Warehousing~~, distribution and storage of non-hazardous goods, (not to exceed 10,000 square feet of floor area).

1202.367 Impoundment storage yards.

1202.378 Single -and multiple- household dwellings not to exceed a density of one dwelling unit per 3,600- square feet and further provided that the site shall not be considered a residential site. Additional non-residential principal uses shall not be allowed in manufactured/mobile home parks nor on multiple-household dwelling sites; non-residential uses accessory to the multiple-household use are permitted.

1202.389 Residential care homes.

1202.3940 Residential care institutions.

1202.401 Health clinics.

1202.412 Car washes.

1202.423 Emergency vehicle stations not otherwise exempted by SectionArticle 2002.

1202.434 Commercial plant nurseries.

1202.45 Farmers markets.

1202.46 Community gardens.

1203 Site Development Standards

All uses permitted in GB districts shall conform to the following minimum site development standards in addition to the provisions of Article 18:

1203.01 Maximum Height

Structure	40- feet above grade
Fence or wall	10- feet above grade

1203.02 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of the road travelway to the structure/use as follows:

A. For those GB Zoning Districts which abut LI, HI, GB, or NB or PD Zoning Districts, the setback* shall be a minimum of 5- feet, except that the structure/use shall maintain a setback of 20- feet from any road travelway. Zero lot lines between townhouses or condominiums within a common development shall be permitted. The minimum setbacks for Special Uses shall be 10- feet.

B. For those GB Zoning Districts which abut RU, TR, SR, SM, PD, -4 or MR Zoning Districts the setback* shall be a minimum of 40- feet and 20- feet from any road travelway. Zero lot lines between townhouses or condominiums within a common development shall be permitted. The minimum setbacks for Special Uses shall be 80- feet.

~~*The minimum setbacks for Special Uses shall be 80 feet.~~

1203.03 Maximum Site Coverage: ~~85~~ percent.

1203.04 Distances Between Structures

Except as otherwise provided in these Regulations, the minimum distance between principal structures shall be ~~15~~-feet; ~~10~~-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

1203.05 Screening

In category A, B or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a ~~6~~-foot high solid screen (see Section Article 1805.02 for definition). The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. Non-residential ~~O~~ outdoor storage areas shall be screened regardless of abutting Zoning District. In Category D (Rural) Areas ~~whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a 6 foot high solid screen; otherwise screening is not required.~~

1203.06 Electrical Disturbance and Glare

No use except a temporary construction operation shall be permitted which creates harsh, uncomfortably bright light detectable beyond the boundaries of the site. No use shall be permitted which creates electrical disturbances that unreasonably affects the operation of any equipment beyond the boundaries of the site.

1203.07 Noise or Vibration

No noise or vibration (other than normal vehicular traffic) shall be permitted which is discernible on neighboring residential sites to the unaided human senses for ~~3~~-minutes or more duration in any ~~1~~-hour of the day between the hours of 7:00 a.m. and 7:00 p.m. or of ~~30~~-seconds or more duration in any ~~1~~-hour between the hours of 7:00 p.m. and 7:00 a.m.

1203.08 Odors

No emission of odorous gases or other odorous matter shall be permitted in quantities sufficient to be offensive or to create a nuisance or hazard beyond the site boundaries.

1203.09 Other Nuisances or Emissions Beyond the Site Boundaries

No emission shall be permitted which can damage health, animals or vegetation or other forms of property or which can cause any nuisance or hazard.

1204 Permitted Accessory Uses

1204.01 Accessory uses are permitted in GB Zoning Districts provided they are customarily incidental to an established permitted principal use. Accessory structures may exceed the size of the principal structure provided that all other site development standards are met. The following additional accessory uses and structures shall be permitted:

1204.01 ~~Recreational Vehicles (RV's) are allowed as follows:~~

A. No permit is required for storage of no more than two RV's on a parcel.

B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six-months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.

C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the permit with a required Temporary Use Permit, see Article 17.

D. Recreational vehicles accessory to a principal permitted use may not be rented out.

~~G. 1204.02: Rooms in the principal dwelling for roomers, not exceeding two such persons per dwelling unit, ~~(no permit is required).~~~~

1204.03 Home occupations in a principal dwelling.

1204.034 Wind Energy Systems, ~~see (Subject to the~~ site development standards in ~~Section Article 18 Article 18.22).~~

~~—1204.045 Solar5 Solar Energy Systems(Systems, see (Subject to the site development standards in Article 18). 18).~~

1205 Special Uses Authorization

~~The following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in Section Article 1717 of these Regulations:~~

The following land uses require a Special Use Authorization from the Planning Commission in the GB Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit.

1205.01 Manufacturing, wholesaling, warehousing, distribution and/or storage of goods.

1205.02 Zoos and or other outdoor animal exhibits.

1205.03 Fairgrounds and or amusement parks.

1205.04 Animal husbandry services.

1205.05 Motion picture production sites/studios, permanent.

1205.06 Recycling centers.

1205.07 Offender rehabilitation facilities.

1205.08 Jails, prisons, and detention centers.

1205.09 Billboards.

1205.10 Swap meets.

1205.11 Repair services (unenclosed) and/or large engines.

1205.12 Wireless communications towers ~~over exceeding 40-feet'~~ in height, ~~see~~
~~Section Article 1813 Subject to see the~~ for applicable site development standards in Article
18.

1205.13 Regional sewage treatment plants.

1205.14 Truck stops.

1205.15 Lighted Outdoor Recreation Facilities.

1205.16 Golf courses.

1205.17 Solar Energy Power Plants, ~~see-~~ site development standards in Article 18.

1205.18 Wind Energy Power Plants, ~~see-~~ site development standards in Article 18.

~~1205.18~~1205.19 Medical Marijuana Cultivation Facility, ~~Subject to the see~~ site
development standards in Article 18.

~~1205.19~~1205.20 Medical Marijuana Dispensary, ~~see-~~ Subject to the site development
standards in Article 18.

~~1205.20~~1205.21 Medical Marijuana Dispensary Cultivation Facility, ~~Subject to the see~~
site development standards in Article 18.

1205.22 Medical Marijuana Infusion Facility, ~~Subject to the see~~ site development standards
in Article 18.

~~1205.24~~1205.23 Commercial Kennels.

ARTICLE 13

LI, LIGHT INDUSTRY ZONING DISTRICT

1301 Purpose

The LI (Light Industry) Zoning District is established:

1301.01 To encourage the establishment of light industrial uses in locations which are suitable and appropriate, taking into consideration land uses on adjacent and nearby properties, access to major streets and highways, rail services and other means of transportation, and availability of public utilities;

1301.02 To encourage manufacturing uses which can be operated in a relatively clean, quiet and safe manner, without producing objectionable effects that would impose hazards to adjacent and nearby properties by reason of smoke, soot, dust, odor, radiation, noise, vibrations, heat, glare, toxic fumes, or other conditions that would adversely affect the public health, safety, convenience and general welfare; and

1301.03 To allow heavy commercial, but not residential, uses compatible with light industrial uses.

1302 Permitted Principal Uses

The following uses shall be permitted in LI Zoning Districts provided they conform to the applicable site development standards below and meet any other requirements for such uses found in these Zoning Regulations such as off-site road and drainage improvements.

Use

1302.01 Educational services.

1302.02 Utility installations not otherwise exempted by ArticleSection 2002, other than regional sewage treatment plants, electric generation plants, and solid waste landfills or incinerators.

1302.03 Churches or places of religious worship.

1302.04 Banks and banking services.

1302.05 Personal and professional services.

1302.06 Research and testing laboratories.

1302.07 Veterinary clinics, animal hospitals, and animal husbandry services

1302.08 Animal husbandry services.

1302.089 Indoor and/or outdoor recreational facilities.

1302.0910 Convenience stores.

1302.101 Riding stables, commercial, on a minimum site of 10-acres.

- 1302.112 Retail sales, including outdoor sales, rentals or accessory storage.
- 1302.123 Gasoline/service stations.
- 1302.134 Restaurants, bars, taverns, and/or nightclubs.
- 1302.145 Swap meets.
- 1302.156 Repair services.
- 1302.167 Contract construction services.
- 1302.178 Wireless communications towers, ~~maximum- height of up to 199-feet in height, see site development standards in Article 18.~~
~~, see Section Article 1813 for applicable site development standards.~~
- 1302.189 Parking lots, commercial.
- 1302.1920 Bus, rail, and/or truck terminals, and accessory maintenance yards and garages.
- 1302.201 Manufacturing, wholesaling, warehousing, distribution and/or storage of goods.
- 1302.212 Motion picture production sites/studios.
- 1302.223 Printing and/or publishing businesses.
- 1302.234 Custom butchering/meat curing/processing.
- 1302.245 Agricultural processing services.
- 1302.256 Mini-warehouses.
- 1302.267 Hospitals and including ambulatory services.
- 1302.278 Funeral and/or crematory services.
- 1302.289 Recycling centers.
- 1302.2930 Cultural, historic and/or nature exhibits.
- 1302.301 Welfare and/or charitable services.
- 1302.312 Impoundment storage yards.
- 1302.33 Zoos and/or other animal exhibits.
- 1302.34 Fairgrounds and/or amusement parks.
- 1302.35 Truck stops.
- 1302.36 Emergency vehicle stations not otherwise exempted by ~~Section Article~~ 2002.
- 1302.37 Solid waste transfer stations.
- 1302.378 — Commercial plant nurseries.

1302.389 —Car Wash.

1302.3940 —Anemometers, Temporary Use Permit not to exceed three years is required.

1302.41 On-site Agricultural processing subject to Article 17.

1302.42 Ag-processing with a 300-foot minimum setback.

1302.43 Slaughterhouse/meat packing plants with a 300-foot minimum setback.

1302.44 Farmers markets.

1302.45 Community gardens.

1303 Site Development Standards

All uses permitted in an LI Zoning District shall conform to the following minimum site development standards:

1303.01 Maximum Height

Structure	40-feet above grade (except Wireless Communication Towers)
Fence or wall	10-feet above grade

1303.02 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or road travelway to the structure/use as follows:

A. For those LI Zoning Districts which abut LI, HI, GB or PD Zoning Districts, the setback* shall be a minimum of 5-feet , except that the structure/use shall maintain a setback of 20-feet from any road travelway.

B. For those LI Zoning Districts which abut RU, R, SR, SM, PD-1, NB or MR Zoning Districts the setback* shall be a minimum of 80-feet and 20-feet from any road travelway.

* The minimum setbacks for Special Uses shall be 160-feet.

1303.03 Maximum Site Coverage: 85-percent

1303.04 Distance Between Structures

Except as otherwise provided in these Regulations, the minimum distance between structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

1303.05 Screening

In category A, B or C Growth Areas, whenever a non-residential use abuts a residential Zoning District or is separated there from by an alley, the developed area of the non-residential site shall be screened with a six-foot high solid screen (see Section 1805.02 for definition). Outdoor storage areas shall be screened regardless of abutting Zoning District.

The Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use. In Category D (Rural) Areas whenever a non-residential use abuts an area designated as Rural Residential (RR), the developed area of the non-residential site shall be screened with a six-foot high solid screen; otherwise screening is not required.

1303.06 Electrical Disturbance and Glare

No use except a temporary construction operation shall be permitted which creates harsh, uncomfortably bright light detectable beyond the boundaries of the site. No use shall be permitted which creates ~~electrical disturbances that affect~~ electrical disturbances that affect the operation of any equipment beyond the boundaries of the site.

1303.07 Noise or Vibration

No noise or vibration (other than normal vehicular traffic) shall be permitted which is discernible on neighboring residential sites, to the unaided human senses for three-minutes or more duration in any one-hour of the day between the hours of 7:00 a.m. to 7:00 p.m. or of 30-seconds or more duration in any one hour during the hours of 7:00 p.m. and 7:00 a.m.

1303.08 Odors

No emission of odorous gases or other odorous matter shall be permitted in quantities sufficient to be offensive or to create a nuisance or hazard beyond the site boundaries.

1303.09 Other Nuisances or Emissions Beyond the Site Boundaries

No emission shall be permitted which can damage health, animals or vegetation, or other forms of property, or which can cause any nuisance or hazard beyond the site boundaries.

1304 Permitted Accessory Uses

Accessory uses are permitted in the LI Zoning District provided they are customarily incidental to an established permitted principal use. Accessory structures may exceed the size of the principal structure provided that all other site development standards are met.

1304.01 One dwelling or recreational vehicle for the family or employees of the owner/operator or caretaker of the site of a principal use. Dwelling or RV shall not be rented to the public.

~~1304.02 — Temporary occupancy of recreational vehicles in conjunction with the construction of a principal use (a Temporary Use Permit is required, see Section Article 181817.03,A).~~

1304.03 ~~2~~ Recreational Vehicles (RV's) are allowed as follows:

A. ~~No permit is required for s~~Storage of no more than two RV's on a parcel ~~(no permit is required).~~

B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.

C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the permit with a required Temporary Use Permit, see Article 187.

D. Recreational vehicles accessory to a principal permitted use may not be rented out.

1304.043 Wind Energy Systems, see ~~(Subject to the~~ site development standards in ~~Section~~Article 1822).

1304.054 ~~Solar~~ Solar Energy Systems, see ~~(Subject to the~~ site development standards in ~~Article 18).~~

1305 Special Use Authorizations

The following land uses require a Special Use Authorization from the Planning Commission in the LI Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit. The following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in SectionArticle 1716:

1305.01 Cemeteries.

1305.02 Offender rehabilitation facilities.

1305.03 Jails, prisons, and/or detention centers.

1305.04 Billboards.

1305.05 Slaughterhouses/ meat packing plants.

1305.06 Solid waste landfills or incinerators.

1305.07 Regional sewage treatment plants.

1305.08 Lighted Outdoor Recreation Facilities.

1305.09 Electrical generating plants.

1305.10 Airports, heliports and/or flying fieldsairstrips, helipads and heliports.

1305.11 Wind Energy Power Plants.

1305.12 Wireless communications towers greater thanexceeding 199-feet in height, see site development standards in ~~see~~ SectionArticle 18.43 ~~for applicable site development standards.~~

1305.13 Solar Energy Power Plants.

1305.14 Medical Marijuana Cultivation Facility, see site development standards in Article 18.~~see Section~~Article 1825 ~~for applicable site development standards)~~

1305.15 Medical Marijuana Dispensary, see site development standards in Article 18.~~see Section~~Article 1825 ~~for applicable site development standards)~~

1305.16 Medical Marijuana Dispensary Cultivation Facility, see site development standards in Article 18.~~see Section~~Article 1825 ~~for applicable site development standards)~~

1305.17 Medical Marijuana Infusion Facility, see site development standards in Article 18, see Section Article 1825 for applicable site development standards)

1305.18 Commercial Kennels

ARTICLE 14

HI, HEAVY INDUSTRY ZONING DISTRICT

1401 Purpose

The HI (Heavy Industry) Zoning District is established:

1401.01 To encourage the establishment of heavy industrial uses in locations which are suitable and appropriate, taking into consideration land uses on adjacent and nearby properties, adequacy of access to major streets and highways, rail services and other means of transportation, and availability of public utilities; and

1401.02 To allow within safe limits industrial uses and structures having physical characteristics which may be offensive or hazardous or which might otherwise adversely affect nearby properties and uses.

1402 Permitted Principal Uses

The following uses shall be permitted in HI Zoning Districts provided they conform to the applicable site development standards below and any other requirements for such uses found in these Zoning Regulations, such as off-site road and drainage improvements.

Use

1402.01 Utility installations not otherwise exempted by ~~Section Article 2002~~, other than electric generation plants; regional sewage treatment plants; and solid waste landfills or incinerators.

1402.02 Research and testing laboratories.

1402.03 Veterinary clinics ~~,and/or~~ animal hospitals.

1402.04 Animal husbandry services.

1402.04 Repair services.

1402.05 Contract construction services.

1402.06 Wireless communications towers, ~~see site development standards in Article 18, see Section Article 1813 for applicable site development standards.~~

1402.07 Bus, rail, and/or truck terminals, and accessory maintenance yards and garages.

1402.08 Commercial feedlots, stockyards and/or auction barns.

1402.09 Manufacturing, wholesaling, warehousing, distribution and/or storage of goods.

1402.10 Agricultural processing services.

1402.11 Custom butchering/meat curing/processing.

1402.12 Jails, prisons and/or detention centers.

- | 1402.13 _Offender rehabilitation facilities.
- | 1402.14 _Recycling centers.
- | 1402.15 _Impoundment storage yards.
- | 1402.16 _Motion picture production sites/studios.
- | 1402.17 _Parking lots, commercial.
- | 1402.18 _Printing and publishing businesses.
- | 1402.19 _Gasoline/service stations.
- | 1402.20 _Banks and banking services.
- | 1402.21 _Personal and professional services.
- | 1402.22 _Truck stops.
- | 1402.23 _Emergency vehicle stations not otherwise exempted by ArticleSection 2002.
- | 1402.24 _Funeral and/or crematory services.
- | 1402.25 _Restaurants, bars, taverns and/or nightclubs.
- | 1402.26 _Solid waste transfer stations.
- | 1402.27 _Carwash.
- | 1402.28 _Anemometers (Temporary Use Permit not to exceed three years).
- | 1402.29 _On-site agricultural processing, subject to Section 1704.01a:Article 17.
- | 1402.30 _Commercial feedlots with 300-foot minimum setback.
- | 1402.31 _Slaughterhouses/meat packing plants with a 300-foot minimum setback.
- | 1402.32 _Ag-processing with a 300-foot minimum setback.
- | 1402.33 _Anemometers (Temporary Use Permit not to exceed three years).
- | 1402.34 Commercial plant nurseries.
- | 1402.35 Cemeteries.

1403 Site Development Standards

All uses permitted in HI districts shall conform to the following minimum site development standards:

1403.01 Maximum Height

Structure	50-feet above grade (except Wireless Communication Towers)
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Fence or wall	15-feet above grade
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1403.02 Setbacks, Principal and Accessory Structures/Uses

The minimum setback shall be measured from the closest point on the property line or the edge of road travelway to the structure/use whichever is closer as follows:

A. For those HI Zoning Districts which abut HI, ~~or LI, or PD~~ Zoning Districts, the setback* shall be a minimum of 5-feet, except that the structure/use shall maintain a setback of 20-feet from any road travelway and any other setbacks required by building codes.

B. For those HI Zoning Districts which abut RU, R, SR, SM, PD-~~4~~, NB, MR or GB Zoning Districts the setback* shall be a minimum of 100-feet and 20-feet from any road travelway.

* The minimum setbacks for Special Uses shall be 200-feet.

1403.03 Maximum Site Coverage: ~~—~~85-percent

1403.04 Distance Between ~~Buildings~~ Structures

Except as otherwise provided in these Regulations, a minimum distance between principal structures shall be 15-feet; 10-feet for multiple-household structures. Nothing herein shall prevent permanent attachment of principal structures.

1403.05 Screening

Whenever a non-residential use abuts a residential Zoning District or is separated therefrom by an alley, the developed area of the non-residential site shall be screened with a 6-foot high solid screen (see ~~Section~~ Article 1805.02 for definition). The County Zoning Inspector may defer the screening if the abutting residentially-zoned property is not yet developed with a residential use.

1403.06 Electrical Disturbance and Glare

No use except a temporary construction operation shall be permitted which creates harsh, uncomfortably bright light detectable beyond the boundaries of the site. No use shall be permitted which creates electrical disturbances that unreasonably affects the operation of any equipment beyond the boundaries of the site.

1403.07 Noise or Vibration

No noise or vibration (other than normal vehicular traffic) shall be permitted which is discernible on neighboring residential sites, to the unaided human senses for 3-minutes or more duration in any one hour of the day between the hours of 7:00 a.m. to 7:00 p.m. or of 30-seconds or more duration in any one-hour during the hours of 7:00 p.m. and 7:00 a.m.

1403.08 Odors

No emission of odorous gases or other odorous matter shall be permitted in quantities sufficient to be offensive or to create a nuisance or hazard beyond the site boundaries.

1403.09 Other Nuisances or Emissions Beyond the Site Boundaries

No emission shall be permitted which can damage health, animals or vegetation, or other forms of property, or which can cause any nuisance or hazard.

1404 Permitted Accessory Uses

Accessory uses are permitted in the HI Zoning District provided they are customarily incidental to an established permitted principal use. Accessory structures may exceed the size of the principal structure provided that all other site development standards are met.

1404.01 One dwelling or recreational vehicle for the family or employees of the owner/operator or caretaker of the site of a principal use. Dwelling or RV shall not be rented to the public.

~~1404.02 Temporary occupancy of recreational vehicles in conjunction with the construction of a principal use (a Temporary Use Permit is required, see Section Article 1817.03,A).~~

1404.023 Recreational Vehicles (RV's) are allowed as follows:

A. ~~No permit is required for s~~Storage of no more than two RV's on a parcel ~~(no permit is required).~~

B. Temporary occupancy of one RV in conjunction with a permitted principal use up to six months in a calendar year with a required Temporary Use Permit; stays of 15-consecutive days or less do not require a permit.

C. Temporary occupancy of RV's in conjunction with the construction of a residential or non-residential permitted principal use. Such occupancy shall be limited to the length of the permit with a required Temporary Use Permit, see Article 17.

D. Recreational vehicles accessory to a principal permitted use may not be rented out.

1404.04 Wind energy systems, ~~see (Subject to the~~ site development standards in ~~Section Article~~ 1822).

1404.05 Solar energy systems, ~~see (Subject to the~~ site development standards in ~~Article~~ 18).

1405 Special Uses Authorization

~~The following land uses require a Special Use Authorization from the Planning Commission in the HI Zoning District, subject to the procedures and review criteria set forth in Article 17. If granted, each land use will also require a Non-residential Use permit. In HI Zoning Districts, the following uses may be permitted as a Special Use subject to the procedures and review criteria set forth in Section 1716 of these Regulations.~~

1405.01 Electrical generation plants.

1405.02 Regional sewage treatment plants.

1405.03 Solid waste landfills or incinerators

1405.04 Manufacturing, wholesaling, warehousing, distribution or storage of materials that are inflammable, explosive, or hazardous or that create ~~hazardous or commonly recognized offensive conditions~~ offsite impacts, such as dust, noise, ~~or smoke~~ or odors ~~detectable off site.~~

1405.05 Billboards.

1405.06 Lighted outdoor recreation facilities.

1405.07 Airports, airstrips, helipads and heliports ~~and flying fields.~~

1405.08 Junkyards.

1405.09 Slaughterhouses/meat packing plants with less than a 300-foot minimum setback.

1405.10 Wind energy power plants, see (S site development standards in Article 18).

1405.11 Solar energy power plants, see (S site development standards in Article 18).

1405.12 Medical marijuana cultivation facility, see site development standards in Article 18.
see Section Article 18.25 for applicable site development

1405.13 Commercial feedlots with less than a 300-foot minimum setback.

1405.14 Ag-processing with less than a 300-foot minimum setback.

1405.15 Medical marijuana dispensary facility, see site development standards in Article 18.

1405.16 Medical marijuana dispensary/cultivation facility, see site development standards in Article 18.

1405.17 Medical marijuana infusion facility, see site development standards in Article 18.

1405.18 Commercial Kennels.

ARTICLE 15

PD, PLANNED DEVELOPMENT DISTRICTS

1501 Purpose

~~It is intended to~~ permit the creation of PD (Planned Development) ~~d~~Districts, where the uses and structures proposed are to be planned and developed as units or phases, ~~and to which will~~ facilitate mixed use development. The provision for Planned Development districts and the regulations adapted to such unified planning and development are intended to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety in physical development, creative design, and a well-planned urban environment. Future development must be in substantial conformance with the Master Development Plan required for approval of a new PD district.

1502 Permitted Uses

The following uses are permitted in the PD (Planned Development) District:

Use

- 1502.01 All single-household dwelling units, including manufactured homes, but not including rehabilitated mobile homes and recreational vehicles.
- 1502.02 Multiple-household dwellings.
- 1502.03 Group quarters.
- 1502.04 Manufactured home parks, see site development standards in Article 18, ~~(the standards set forth in Section Article 1812 shall apply).~~
- 1502.05 Recreational vehicle parks.
- 1502.06 Bed and breakfast lodging.
- 1502.07 Guest lodging.
- 1502.08 Educational services.
- 1502.09 Day care facilities and establishments.
- 1502.10 Utility installations not otherwise exempted by Section Article 2002, other than electric generation plants, regional sewage treatment plants and solid waste landfills or incinerators.
- 1502.11 Churches or places of religious worship.
- 1502.12 Welfare and charitable services.
- 1502.13 Personal and professional services and hospitals.
- 1502.14 Veterinary clinics and/or animal hospitals.

- 1502.15 Cultural, historic and nature exhibits.
- 1502.16 Golf courses, ~~see site development standards in Article 18. — see Section Article 1818 for applicable site development standards.~~
- 1502.17 Indoor and/or outdoor recreational facilities.
- 1502.18 Retail sales or rentals.
- 1502.19 Home occupations ~~accessory to residential uses.~~
- 1502.20 Funeral and/or crematory services.
- 1502.21 Cemeteries.
- 1502.22 Civic, social, fraternal, and/or business associations.
- 1502.23 Printing and publishing businesses.
- 1502.24 Bus and rail terminals and accessory maintenance yards and garages.
- 1502.25 Parking lots and garages, commercial.
- 1502.26 Mini-warehouses.
- 1502.27 Contract construction services.
- 1502.28 ~~Meat cutting and/or butchering shops. Custom butchering/meat curing/processing.~~
- 1502.29 Swap meets.
- 1502.30 Shopping centers.
- 1502.31 Gasoline/service stations.
- 1502.32 Research and testing laboratories.
- 1502.33 Repair services.
- 1502.34 Manufacturing, wholesaling, warehousing, distribution or storage of goods.
- 1502.35 Jails, prisons, and detention centers.
- 1502.36 Motion picture production sites/studios.
- 1502.37 Restaurants, bars, nightclubs and taverns.
- 1502.38 Fairgrounds and amusement parks.
- 1502.39 Residential care homes.

- 1502.40 Residential care institutions.
- 1502.41 Offender rehabilitation facilities.
- 1502.42 Agricultural processing services.
- 1502.43 Zoos and other animal exhibits.
- 1502.44 Recycling centers.
- 1502.45 Wireless communications towers.
- 1502.46 Truck stops.
- 1502.47 Commercial plant nurseries.
- 1502.48 Heliports, helipads, airports and airstrips designed to serve the development.
- 1502.49 Lighted Outdoor Recreation Facilities.
- 1502.50 Anemometers (temporary use not to exceed 3 years).
- 1502.51 Wind turbines.
- 1502.52 Animal husbandry.
- 1502.53 Solar energy systems.
- 1502.54 Solar power plants.

1503 Site Development Standards

In all planned developments, the site will be designed to minimize adverse effects of or on land uses adjacent to the development; minimize impacts upon community facilities and services; prevent undue hazards to people or property on or off-site from traffic, flooding, erosion, subsidence, soil slipping, water adequacy, or-and other dangers, annoyances or inconveniences; and protect the visual and physical character of the site by considering any prominent natural features, vegetation, drainageways and slopes. Except as expressly modified below, the site development standards stated in Article 18 shall be applicable, unless modified by the Board of Supervisors, based on a specific determination that any such modification will not adversely affect the public health, safety and general welfare.

1503.01 Minimum Development Area

The minimum area for a PD District shall be 10-acres.

1503.02 Density

Maximum densities shall not be restricted, provided that the proposed infrastructure and improvements will adequately handle the proposed number of residential units.

1503.03 Site Coverage and Design

Site coverage shall be flexible to encourage innovative site design but shall not encroach upon required perimeter setbacks or open space. Site coverage ratios for similar uses in other Zoning Districts shall generally be used as guides to appropriate site coverage ratios in the proposed PD district. Site design shall be evaluated in terms of integrated use of open space, drainage, topography, vehicular and pedestrian circulation, and internal use relationships.

1503.04 Setbacks

Setbacks from the perimeter of the PD district for all uses shall be a minimum of 40-feet, unless other means, including site design, building design, screening, landscaping, and open space, are provided to alleviate potential land use conflicts. The Zoning Inspector may modify this requirement if, in his opinion, adequate alternatives are provided. If there is a substantial disparity between uses in the PD district and adjacent existing uses, the Zoning Inspector may increase the perimeter setback.

Setbacks for structures and uses from road travelways and lot boundaries within the PD district shall be specified in the master development plan, but should approximate the setbacks required in Zoning Districts with comparable densities and uses, unless otherwise approved.

1503.05 Open Space

Development under this provision is intended to provide the following:

1. An innovative site planning design in harmony with the natural features and constraints of specific sites;
2. More cost-effective development due to decreased grading and more efficient servicing of the development with utilities, roads and other essential services; and
3. Open space for private or community purposes.

A. Open Space Definition

For the purposes of this Section, open space is that area of land not occupied by buildings, towers, walls, billboards, or man-made impervious surfaces that is set aside or reserved in perpetuity for the use of the public or the occupants of the PD district. It shall be an integral part of the design within the boundaries of the development. The open space calculation shall not include any public or private roads accessing the lots, road right-of-way, outdoor storage areas, junkyards or golf courses. Historic sites and paths or trails not intended for vehicular access to lots may be included in the open space. If the open space is to be used for agriculture, accessory agricultural structures or roads may be included in the open space.

B. Open Space Ownership and Control

The open space shall be either in private ownership or owned by a property owners' association and shall be protected by covenants and restrictions, satisfactory to the Planning and Zoning Commission and the Board of Supervisors.

C. Minimum Open Space Area – Residential

At least 50-percent of the gross area of any residential portion(s) of the proposed PD Zoning District shall be retained as Open Space. The location of the Open Space shall be delineated on the master development plan and a reference made to the intended purpose, maintenance, and ownership of the open space. Open space for

recreational purposes shall be designed and located to be convenient for the use of the residents of the development.

D. Minimum Open Space Area – Non-Residential Uses

At least 10-percent of the gross area of any non-residential portion(s) of the proposed PD Zoning District shall be retained as Open Space. The location of the Open Space shall be delineated on the master development plan and a reference made to the intended purpose, maintenance and ownership of the open space.

E. Hillside

Any areas of slope greater than 15-percent shall be left as open space.

F. Washes

Washes will remain undisturbed to the extent feasible and the number of crossings minimized to those deemed necessary for general circulation within the development. All development within washes will comply with County Highway and Floodplain regulations and other applicable state and federal laws.

1503.06 Non-Residential Uses in PD Districts

A predominantly residential PD District should be designed to provide non-residential services for the use of the development's residents and guests in order to minimize potential off-site average daily traffic.

1503.07 Sanitary Sewer and Water Systems

No building permits shall be issued for development within a PD Zoning District until provisions have been made for connection onto community water and sanitary sewer systems or some other Arizona Department of Environmental Quality-approved waste disposal system. Conventional septic systems may be used if a community sanitary sewer system is not feasible.

1503.08 Access, Circulation, and Street Improvements

A. Collector or Arterial Access

A PD Zoning District shall have external access to at least one publicly maintained collector or arterial street. The site shall be designed to discourage direct access to a predominantly residential street outside of the development. One additional external access to a collector or arterial street improved to minimum County standards is encouraged to improve overall circulation and provide emergency access.

B. Street Improvement Standards

All streets within a Planned Development district shall be improved to minimum County standards, sufficient to handle anticipated traffic.

C. Design of Vehicular Circulation Systems

Streets and drives shall provide safe and convenient access to uses within the district, but shall not be designed in a manner that encourages outside traffic to use the residential streets within the district. Traffic calming devices are encouraged on local streets. Streets shall not occupy more land than is required to provide access

as indicated, nor create unnecessary fragmentation of the development into small blocks.

Principal vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. Merging and turnout lanes and/or traffic dividers shall be required where existing or anticipated heavy flows indicate need.

Access from off-street parking and service areas within the development may be made directly to local streets. Vehicular access to other streets from off-street parking and service areas shall be so combined, limited, located, designed and controlled as to channel traffic from and to such areas conveniently, safely, and in a manner which minimize marginal traffic friction and promotes free traffic flow on streets without excessive interruptions.

D. Design of Pedestrian Circulation Systems

An integrated pedestrian system is required. If appropriate, bicycle and equestrian paths may be integrated into this system as well. The system shall form logical, safe, and convenient pedestrian access to all dwelling units, project facilities, recreational open space and principal off-site pedestrian destinations. Walkways to be used by substantial numbers of children as play areas or routes to school or other destinations shall be located and safeguarded as to minimize contacts with normal automotive traffic. Street crossings shall be held to a minimum on such walkways, located and designed to provide safety, and appropriately marked and otherwise safeguarded. Pedestrian ways, appropriately located, designed, and constructed may be combined with other easements and used by emergency or utility vehicles, but shall not be used by other automotive traffic.

Pedestrian ways, equestrian and bicycle paths shall be, to the maximum extent feasible, separate and protected from vehicular access points. Where there are crossings of such ways and vehicular routes, such crossings shall be safely located, marked, and controlled, and, where such ways are exposed to substantial vehicular traffic, safeguards may be required to prevent crossings except at designated points. Bicycle and/or equestrian paths shall be designated so that street crossings are minimized.

1503.09 Screening

A. Perimeter Screening

Screening, as defined in ~~Section~~Article 1805.02, shall be required along the exterior boundaries of all planned developments where a proposed non-residential use abuts a residential Zoning District, unless this protection is provided by other means. Where a developer demonstrates that the natural terrain or site design features – such as placement of structures, uses, open space, landscaping, streets and walkways – fulfill the need for visual protection and physical separation between sites, screening requirements shall be waived.

B. Interior Screening

Screening shall be required within PD districts, as necessary to minimize the visual impact of non-residential uses on the residential portions of the development, unless the developer demonstrates that other design features will fulfill that purpose.

1503.10 Landscaping

Landscaping shall be required in PD districts, as necessary to serve the expressed intent of ~~Section~~Article 1806-01. Single-household dwelling sites shall be exempt. At a minimum, perimeter setback areas along roads abutting the development shall be landscaped and non-residential sites within the PD district shall be landscaped in a manner consistent with the standards described in ~~Section~~Article 1806-02B. Landscaping shall consist primarily of drought-tolerant species and make best use of low-water use native vegetation, as well as adhering to the principles of xeriscaping.

1503.11 Maximum Structure Height

The maximum height of all structures in the PD Zoning District may extend to 50-feet above grade, provided that:

- A. The site is designed so that structures in excess of 40-feet have a minimum setback from exterior site boundaries that is equal to or greater than the height of the structure, and so that no such structure obstructs a scenic view from adjoining developed properties or public right-of-way.
- B. Site design includes sufficient setbacks and open spaces to provide adequate light and air to all uses within the development, and to prevent obstruction of solar access on surrounding sites.
- C. Structures proposed at heights greater than 50-feet above grade, such as wireless communication towers, must be approved through the master development plan process.
- D. Accessory Wind Energy Systems in the PD Zoning District shall be subject to height limits and other site development standards as found in ~~Section 1822~~Article 18.

1503.12 Minimum Distance Between Structures

The minimum distance between principal structures shall generally be 15-feet, except that the Zoning Inspector may approve a smaller separation when site and building design provide adequate light, air, privacy, and fire safety.

1504 Procedures for Planned Development Zoning Amendments and Plan Approval

Planned ~~De~~velopment proposals shall be presented in two stages: (1) a pre-application conference; and (2) the submission of a master development plan and rezoning application.

1504.01 Pre-application Conference

A pre-application conference is mandatory for all PD amendments. The applicant will discuss the proposed development with the Planning Department staff, Highway and Floodplain Department staff, and other interested agencies. The County Zoning Inspector will be responsible for inviting these departments to a joint meeting. At this meeting, the applicant will submit the general outlines of the proposal and sketch plans as indicated below. After the pre-application conference, the Planning Department staff will furnish the applicant with written comments regarding the proposal. These comments will include any appropriate recommendations to inform and assist the applicant prior to preparing the Planned Development application. After the applicant has identified the scope of the proposed project at his conference, County staff will identify governmental departments and agencies that will be involved in the subsequent review process, determine what studies and reports will be necessary to adequately assess the proposal, and establish the number of copies of all plans

and reports which will be required. The applicant is required to provide the following information for the pre-application conference:

- A. Data concerning: site conditions; land characteristics; community facilities including streets, water and power, schools, and sewage disposal; other general information about land uses within ½- mile of the proposed development.
- B. A sketch showing the proposed location of land uses, major streets and any other significant features.

1504.02 Master Development Plan and Rezoning Application

A. Master Development Plan Submittal

After the pre-application conference and receipt of the staff's comments, the applicant may submit an application for a rezoning to a Planned Development district, as set forth in Article 22, in the same manner as for other amendments of Zoning District classifications. Materials submitted with the rezoning application shall include: the proposed master development plan, as set forth in ~~Section 406.06, Article 4~~ including a specific demonstration of compliance with the applicable site development standards, a Public Participation Report as required in ~~Section 407, Article 4~~ of these ~~Z~~oning ~~R~~egulations, and all appropriate fees. The master development plan and Zoning District amendment application shall be processed concurrently.

B. Review of Master Development Plan and Report(s)

After the materials specified in Paragraph A above have been submitted to the Planning Department, staff will review the application, the master development plan and the report. The applicant will be notified in writing of any deficiencies in the design of the development, the requested reports and information, or any other submittals. When the County Zoning Inspector determines that the plan conforms with all applicable development standards, or that appropriate waivers have been requested, and that the applicant has submitted all of the required documents in appropriate form, he or she will schedule a public hearing before the Planning Commission for the next available meeting.

C. Planning Commission Hearing, Zoning Amendments and Master Development Plan

1. The County Zoning Inspector shall forward the complete application to the Planning Commission for a public hearing. Notice of this hearing shall be posted and advertised as set forth in Article 22 of these Regulations. The Commission shall review the master development plan for conformance with submittal requirements and the applicable site development standards. The Commission may recommend modifications of the site development standards, consistent with the provisions of ~~Section Article 1503~~.
2. Based upon specific findings to be adopted by the Commission, the Commission shall recommend to the Board of Supervisors that the proposed PD Zoning District amendment and the accompanying master development plan:
 - a. Be approved unconditionally, without modification; or
 - b. Be approved conditionally, with approval conditioned upon certain revisions to the master development plan, or other appropriate

- requirements, including scheduled improvements or limits on types of permitted uses; or
- c. Be denied, based upon the specific findings included with this recommendation.

D. Board of Supervisors' Hearing

1. The Board of Supervisors shall consider this application in the same manner as other Zoning District amendments, as set forth in Article 22, together with the proposed master development plan. If the proposal constitutes a "major amendment", as defined in ~~Section 405~~ Article 4 of these Regulations, it shall be presented at the time and in the manner required for "major amendments". Following the hearing on this proposal, the Board of Supervisors may approve the proposed zoning amendment and master development plan as submitted; approve modifications of the site development standards; approve either or both subject to certain modifications or limitations, including limits on the types of permitted uses; approve either or both subject to certain conditions or infrastructure requirements; or decline to approve both. The Board shall adopt findings, indicating the basis for its action, in connection to this action.
2. The Board of Supervisors may approve a Master Development Plan and/or the PD zoning conditioned on a schedule for the completion of certain actions or improvements. If the property owner fails to comply with this schedule, at the expiration of the applicable time period, the Board shall schedule a public hearing to consider granting an extension, determining a revised compliance schedule, or revoking approval of the Master Development Plan and PD zoning. If the Board revokes its approval, the PD Zoning District shall revert to its original zoning. The owner, and any successors in interest who have provided written notice of this interest to the Planning Department, shall be notified of the hearing by registered mail.

1505 Amendments to Approved Master Development Plans for the PD Zoning District

Minor amendments to an approved final Master Development Plan may be authorized by the Zoning Inspector upon written application by the applicant or successors in interest, but only upon a finding that: a) such amendments are in accord with all Regulations in effect at the time the change is requested; b) the amendments are consistent with the purpose and scope of the Master Development Plan approved by the Board of Supervisors and are unlikely to result in any increase in off-site impacts; and c) the amendments are consistent with the general intent and purpose of the Comprehensive Plan in effect at the time of the proposed change.

Any proposed amendment that does not meet each of the criteria stated above shall be formally submitted for approval in the same manner as an original application.

1506 Previously Zoned PD-1 and PD-2 Districts

All previously-zoned PD-1 and PD-2 Zoning Districts shall be deemed to be PD Zoning Districts. If a previously-zoned PD-1 or PD-2 district has an approved, un-expired master development plan or final plan, then all applications for residential and non-residential permits and subdivisions shall be in substantial conformance with that plan and subject to all conditions of that plan. Any proposals to amend the plan are subject to the provisions of Section 1505, herein.

In the event that a previously-zoned PD-1 or PD-2 district has no approved plan or has an expired plan, then a master development plan for the entire, contiguous PD-1 or PD-2 district, per the requirements of this article, shall be required prior to the issuance of a residential or non-residential permit or approval of a subdivision tentative plat. If there is no current plan in effect,

the property owner may, in the alternative, request that a previously-zoned PD-1 or PD-2 Zoning District, or portion thereof, revert to its original zoning and comprehensive plan designation. If PD-1 or PD-2 was the original zoning, or a reversion to the original zoning is not appropriate, then a property owner may apply for another Zoning District compatible with the surrounding comprehensive plan designation, subject to the provisions of Article 22.

1507 Residential Minor Expedited Subdivision Option

Pursuant to the Cochise County Subdivision Regulations, the Minor Expedited Subdivision is available when subdividing 20-~~lots~~ or fewer-~~lots~~.

ARTICLE 16

Reserved for Future Amendments